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HANSARD'S

PARLIAMENTARY DEBATES,

VOL. XCVII.

HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

11° VICTORIÆ, 1847-1848.

VOL. XCVII.

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THE TWENTY-NINTH DAY OF FEBRUARY

TO

THE SIXTH DAY OF APRIL, 1848.

Third Volume of the Session.

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1848.

LOND. UNIV.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *FIFTEENTH PARLIAMENT* OF
THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 21 SEPTEMBER, 1847, AND FROM THENCE
CONTINUED TILL 18 NOVEMBER, 1847, IN THE ELEVENTH YEAR
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, February 29, 1848.

MINUTES.] *Took the Oaths.*—The Lord Rivers.

PUBLIC BILLS.—1ª Consolidated Fund.

2ª New Zealand Government.

PETITIONS PRESENTED. From Operative Shipwrights of the Port of London, that the Navigation Laws may be Maintained as they at present stand.—From Doune, against the Game Laws.—From Exeter, and other Places, against the Diplomatic Relations, Court of Rome, Bill.—By the Bishop of Oxford, from Tunbridge Wells, and Benedon, for the Removal of the Jewish Disabilities.

THE CLERK ASSISTANT.

THE LORD CHANCELLOR moved the Order of the Day for taking into consideration the Letter of John William Newell Birch, Esq., tendering the resignation of his office of Clerk Assistant, and observed that their Lordships would probably feel it right, in parting with their old servant, to express the just sense they entertained of the zeal and ability shown by Mr. Birch in executing the important duties of his office. And it was therefore *Moved* to *Resolve*—

> "That this House think it right to record the just Sense which they entertain of the Zeal, Ability, Diligence, and Integrity with which the said John William Newell Birch, Esquire, has executed the important Duties of the Office of Clerk Assistant of this House."

The DUKE of RICHMOND was happy in being able to bear the highest testimony to the zeal, efficiency, and gentleman-like conduct always shown by Mr. Birch. He was sure he was only speaking the sentiments of those present, when he said they wished him many years of health and happiness to enjoy that retirement which his public services deserved.

On Question, agreed to, *Nemine Dissentiente*:—

> "Ordered, That the Lord Chancellor do communicate the said Resolution to John William Newell Birch, Esquire."

Then it was *Moved* to *Resolve*—

> "That in accordance with the Resolutions of this House of the 14th of June, 1824, the said John William Newell Birch be allowed a retiring Salary of 2,000*l.* a Year, to be charged on the Fee Fund of this House, and to commence from this Day:"

On Question, agreed to, and ordered accordingly.

WRECK OF THE AVENGER.

The EARL of MALMESBURY, seeing the noble Lord at the head of the Admiralty in his place, wished to know whether the Government had thought it fit to show any token of their gratitude, in the shape of some reward to those Arab fishermen—for such he believed they were—who saved the unhappy survivors of the *Avenger* from a certain grave. He thought it would be politic as well as right to do so, because a similar accident might occur on that inhospitable coast again; and this certainly deserved some token of our gratitude. He would also allude to a case in which like humanity had been shown in another quarter of the world, on the coast of Ireland, where a poor family not only saved, but shared their stock of victuals for the winter, with six survivors of shipwreck. He thought it would be fit for Her Majesty's Government to show their sense of such excellent conduct.

The Earl of AUCKLAND was very glad to be able to state, in answer to the noble Earl's observations, that immediately upon hearing of the assistance afforded by the Arabs to the survivors of the wreck of the *Avenger*, orders had been issued to the naval authorities on the Mediterranean station to find out those men, and give them some reward for their humane conduct, which might serve as a mark of the approbation of the British Government. Not only had this been done in the case of the Arabs, but in that of every other party concerned—the officers of the Bey of Tunis, and the captain of the French ship which had repaired to the scene of the wreck. His noble Friend had also adverted to the circumstance which had taken place on the Irish coast. He remembered the occurrence being brought to his attention, and having given some direction respecting it, that some notice should be taken of the case; but he was not, at the moment, able to say precisely what had been done; he rather thought that a recommendation of the case had been forwarded to the Committee of Lloyd's.

The Earl of MALMESBURY expressed his satisfaction.

NEW ZEALAND GOVERNMENT BILL.

Earl GREY, in moving the Second Reading of this Bill, stated that the object was to effect a suspension for five years of certain arrangements which had been made for the government of New Zealand. The grounds on which this measure was proposed were so clear, that it would not be necessary for him to trouble their Lordships at much length. It would be recollected that in 1840 it was decided to make an experiment in regular colonisation, and a large number of English settlers left this country to plant a colony in New Zealand. Hopes, at first very sanguine, were, however, in no long time entirely frustrated, and prospects which seemed of the brightest order were overthrown. In the summer of 1845 the state of affairs in New Zealand had become so threatening, that his noble Friend opposite (Lord Stanley), who then held the seals of the Colonial Department, thought it necessary to recall the then Governor. He was most happy to bear his testimony to the zeal with which the present Governor of New Zealand had performed the duties assigned to him, because certainly at the time when that appointment was announced in the other House of Parliament, he (Earl Grey) was one of those who did not think it altogether judicious. It was not because he had not, even at that time, a very high opinion of Captain Grey, but because, looking to the difficulties he would have to contend with in introducing a new system of administration, and the opposition that might be expected from the subordinate officers engaged in carrying out the former system, and considering that he would have to communicate with naval and military officers who had seen longer service and had attained higher rank than that of Captain in the Army, he feared the Governor would want that personal weight and authority which, in offices of this kind, were of extreme importance. But he was rejoiced to declare that those apprehensions had proved entirely unfounded, and that the energy and ability of the new Governor of New Zealand had more than supplied the place of those adventitious advantages. From the very moment of his landing on the shores of New Zealand, he seemed to obtain the confidence and exercise an ascendancy over all around him, which were the strongest and clearest proofs of a superior mind. The change in the aspect of affairs which took place on the Governor's arrival was no less rapid than gratifying. When, in November, 1845, Captain Grey reached the colony, he found affairs in the utmost state of confusion; the colonial revenue had dwindled almost to nothing; rebellious natives, in spite of all opposition, were invading and plundering the British settlements, and, elated with their success, they held in contempt a Government which they found too feeble to offer effectual resistance to their attacks; those natives who still retained respect for British authority placed no reliance upon the power of the Government to protect them; the British settlers were discouraged and desponding; and, what was still worse, the military and naval forces were beginning to be dispirited by the ill-success which had attended their operations. In the course of five or six weeks the whole aspect of affairs was changed. Many laws and ordinances had been passed to meet the most pressing exigencies of the time; amongst these one against which the Governor was warned, but in which he wisely persisted, to prohibit the import of arms and ammunition; for, strange as it might appear, although the colony was in a state of war, no attempt had until that time been made to prevent a trade in arms and ammunition from being carried on with the hostile natives. Public confidence was completely restored; most successful expeditions were undertaken against the hostile tribes; in a short time the rebellion was almost entirely quelled; and from that period to the present the condition of the colony had been steadily improving. It was true that hostilities had more than once broken out in different parts of the island; but the measures of the Governor for the suppression of such disturbances, and for the maintenance of the public peace, had been attended with uniform success, and he had secured in the highest degree the confidence both of the native inhabitants and of the British settlers. The natives had also made extraordinary advances in intelligence, education, and civilisation, and chiefly by their instrumentality great public works had been undertaken, and important lines of communication had been constructed, opening out large and fertile districts to cultivation and settlement. The revenue had increased beyond the most sanguine expectation—trade also had shown in that increase its flourishing and prosperous condition. He had stated these facts not merely in order to pay the present Governor of New Zealand a tribute to which he was most justly entitled, but also to show their Lordships how inexpedient it would be, in considering the affairs of this island, not to be guided almost implicitly by the advice received from a person on the spot, who had shown practically that he so thoroughly understood the position and interests of the colony. He must say that, looking at what Governor Grey had achieved in New Zealand, he thought it would involve no little presumption to think they could form a judgment of the measures that should be adopted there better than himself. Accordingly, the measure which he (Earl Grey) was about to ask their Lordships to sanction, was founded almost entirely on the recommendations of Captain Grey. Before, however, he proceeded to explain the details of that Bill, it was necessary that he should briefly state the nature of the measure which had previously been sanctioned by Parliament for the government of New Zealand, and which it was now proposed to supersede. Their Lordships were aware of the disasters which had unfortunately occurred in New Zealand after it became an avowed British colony; and, though he was anxious not to give pain to any one connected with administering the affairs of that colony, he felt bound to say that, in his conviction, those disasters were entirely attributable to the mistakes of those to whom the powers of government were intrusted. Looking, therefore, at the great distance at which we were removed from New Zealand, and the slight control which we could exercise over the course of events, it was considered desirable that a much larger control than they had previously possessed over colonial affairs should be given to the settlers; and that opinion had been almost unanimously expressed in the other House of Parliament. Although many objections might be urged against such a scheme, he considered it was better that the chief control over the affairs of New Zealand should be lodged in the hands of the settlers themselves, rather than in those of a Governor appointed by the Home Government. In 1846, when Her Majesty's present advisers came into office, the latest advices received from New Zealand did not extend to a period of more than five or six weeks after Captain Grey had assumed the administration of affairs; and though much had been accomplished even in that short time, there appeared to be nothing in the then existing state of affairs to alter the opinion which had been previously entertained as to the expediency of giving a greater share of power to the settlers. That opinion was further confirmed by the fact that the unfortunate mistakes which had been committed, and the disasters which had occurred in New Zealand, had so completely destroyed all confidence in the local Government, on the part of persons in this country who were interested in the affairs of the colony, that unless some more popular form of government were established, there appeared no means of reviving the spirit of enterprise in New Zealand colonisation which had existed a few years before, but which then seemed utterly quenched and extinguished. It certainly was highly desirable, if possible, to revive that spirit of enterprise, and again to direct the stream of emigration to the shores of New Zealand; and this consideration led him to the conclusion that, though it was difficult for an Administration which succeeded to office in July, only just before the termination of the Session, to submit a properly matured measure to Parliament, yet that the Government were bound to make an effort to establish a more popular form of government in New Zealand. Accordingly he recommended to his Colleagues, who concurred with him, that a Bill to effect that object should be submitted to Parliament with the least possible delay; and the result was, that the measure—the operation of which he now proposed to suspend by the present Bill—was introduced and adopted by the Legislature. It might be necessary, before he went further, that he should explain the nature of the form of government which it was proposed to establish in New Zealand under the authority of that Act and of the Charter, and the Royal instructions issued under its provisions. The foundation of this new system of government was intended to be the creation of municipal institutions; and, in adopting that plan, the Government were acting, he believed, in conformity with the opinion of almost every person who had considered the subject of colonial—he might almost say of representative—government. He believed that the success of free institutions in this country was attributable, in a great measure, to the degree to which the administration of affairs was committed to local bodies; and it had been said, by a high authority, that of Burke, that in the most flourishing colonies of Great Britain general government was built up upon the municipal institutions of the mother country. Such had been the case in the United States, where the foundation on which the Government rested was the form of the early New England States which prevailed there from the first. Any system of government, in fact, which did not contain this principle was liable to great embarrassment and to confusion without end; and he had no need in proof of that to call their Lordships' attention to the language of the report on the government of Canada, which justly stated that the absence of any system of this nature in Lower Canada had tended to the very injurious consequences which had lately affected that province. It was proposed, therefore, to introduce this principle into the government of New Zealand, by making the municipal bodies, the electors, the representative branch of the general body of the legislature, just in the same way as formerly in this country, when, as they all knew, a great many Members of the House of Commons were returned, not directly by the inhabitants of the towns, but by their various corporations. It was further proposed—as the object was to establish a popular Government in New Zealand—to follow the old model of colonial legislatures, rather than the systems which had been adopted in later days. It was accordingly proposed to model the constitution of New Zealand upon those of Jamaica, Barbadoes, and some of the earlier colonies, and, instead of allowing the nominees of the Crown and representatives of the people to meet together in a single chamber, to establish a House of Assembly, consisting exclusively of representatives of the people, and a Council, consisting of persons nominated by the authority of the Crown. But in New Zealand a still further difficulty was to be encountered in consequence of the peculiar circumstances of the colony, and the distance between the two most important settlements, Auckland and Wellington. Those places were about 400 miles apart, and the communication was difficult and uncertain. If the seat of Government had been fixed at either of those places it would have been highly inconvenient to the inhabitants of the other; and this inconvenience would have been increased in consequence of the jealousy existing between the two towns as to which should be the capital of the colony. It, therefore, seemed advisable that two legislative bodies should be established—one at Auckland and the other at Wellington—and that the colony should be divided into two distinct provinces. But if two legislatures had been instituted, each being enabled to act without reference to the proceedings of the other, great inconvenience might have arisen had there been no other arrangements accompanying it. For instance, they might adopt different customs duties in each province, and thus render a line of internal custom-houses necessary along their boundaries. It was thought advisable, in order to obviate such an evil and to establish a joint authority, that there should be a power vested in the two legislatures to depute a certain number of their body to meet for a short time, and for a certain limited object, with power to settle all matters of general interest to the colony at large. It did not appear necessary that this body should meet at any stated period; and it had therefore been proposed that, if occasion arose, provision should be made for calling together for a short time, and for special and limited objects, the body having these general powers. As there would be some difficulty and embarrassment in making the natives resident within the municipalities liable to the provisions of Acts which they did not understand, it was proposed that the authority of the English law should not extend to them, but that they should enjoy their own customs and laws in every part of the island except in those places where municipalities should be established. Such was the general design embodied in the measure, many subsidiary matters being left to be arranged by the Governor and by the new Legislature, on whom devolved the task of working out their own system of government. If it were prudent and possible to establish a popular Government in New Zealand, he had no reason to infer from the despatches of Governor Grey that he saw any reason to object to that form, although he stated that he could not safely at present establish it to the extent to which the Home Government proposed to go. The main ground on which the Governor objected to the immediate creation of the system of representative government seemed to be, not that the people were unfit for it, but that the natives, though not much advanced in civilisation, were so far intelligent and enlightened, that they could not fail to perceive the injustice of the revenue, which was chiefly raised on imports for their own use, appropriated by a legislature in which they had no voice. He (Earl Grey) certainly had not been prepared to find that those whom a few years ago he looked upon as mere barbarians and unenlightened savages, were now so civilised as to comprehend an injustice of this nature. The noble Earl then proceeded to refer to a despatch from Governor Grey, dated November, 1846, in which he stated his reasons for thinking the constitution should be suspended. As long as New Zealand did not pay her expenses, he did not think the settlers had the same just right to complain of not enjoying a complete representative government as other colonies, which were more able to maintain it. In a very few years, he hoped and trusted, she would be able to pay the expenses of her own Government, and be in a situation in which she might be safely entrusted with a greater share of authority. Looking, then, to the propriety and expediency of establishing a popular government in New Zealand, the present proposal of Government was only to suspend the constitution for a period of five years. It did not follow, at the end of this period, that this particular scheme of government was to come into operation; but the mode now adopted was the proper way in which the attention of Parliament was directed to the subject, while it afforded an opportunity at the end of the time for them to determine what measure they would adopt in its place, by rendering it necessary for them to review the whole matter again. Governor Grey thought the element of representation might be introduced to a certain extent, but that it could not be established at once. The noble Earl again referred to extracts from the despatches of Governor Grey, for the purpose of showing that the provisions of the Bill now proposed were founded on, or consonant with, his suggestions. In a despatch, dated 13th May, he said—

> "I think that perhaps until this country is a little more settled down, your Lordship's views with regard to the government of it might be fully met, if it were, as proposed, divided into two colonies, with such a general executive government and executive government for each colony as is now provided for in the recent charter and instructions; whilst for the present the legislative body of each colony should consist of one chamber, composed of the Governor and official and unofficial members, the latter of whom might in the southern colony be at once elected by the people. The general assembly might then, in like manner, consist of one chamber, composed of all the members of the legislative council of each colony; and its meetings, mode of proceeding, &c., might all be conducted in the manner which is proposed."

As to the mode of introducing the present Bill, which the Government at home thought expedient in consequence of the advice of Governor Grey, he (Earl Grey) thought they should look to him for counsel. To attempt to define precisely to what extent the principle of representation should be introduced, was a task for the proper execution of which sufficient materials did not exist in this country. Governor Grey, in his despatch of 7th October, 1846, said—

> "But there are a number of questions connected with the introduction of such institutions, which I confess I think can only be properly determined by inquiry upon the spot, such as the limits of the various electoral districts; the proportion of members from town and country districts; the precise qualification of electors; the places for polling; and questions of a like nature. These questions, I think, the officer administering the Government in that colony should be required to determine, with the assistance of a legislative council, constituted in the usual manner. If the number of members in that council was extended to ten, five official and five unofficial, and the members were judiciously selected, as I have no doubt they would be, the officer administering the government would have the benefit of the best possible advice; and these questions of a really practical nature would be discussed upon the spot, and under such circumstances as would, I have no doubt, secure the efficient and satisfactory working of the institutions which might be introduced, and which when thus settled would provide a legislative body which would forthwith replace that which had previously existed."

The Legislative Council as it previously existed would be re-established, but at the same time Government would be enabled to nominate additional members, and by them to pass ordinances, making subordinate legislatures in the two provinces. In a despatch, dated 7th October, 1846, Governor Grey recommended that a period of time should elapse before any attempt were made in the northern province to introduce this system of legislation. On fully considering the despatches received from the same gentleman, he saw no reason for suspending the operation of so much of the present charter as related to the creation of municipal institutions, or for believing it might not be safely allowed to continue. The number of natives within the municipalities was inconsiderable, and of those a great number would be found fit to exercise the minor municipal offices. The instructions sent to the Governor of the colony in 1846 provided that the franchise should be exercised by such persons only as were able to read and write English; but Governor Grey wrote home, that though by far the majority of the natives could read and write their own language, and many could speak English, he knew no one of them who could read and write English. He (Earl Grey) had not been quite prepared to hear that statement; but no doubt it was one of considerable importance. He (Earl Grey) approved of endeavours to extend the English language in the colonies. By far the closest bond of union that could exist between this country and the colonists was the use of the same tongue; and when the people of the colonies spoke a different language from the governing authorities, affairs seldom happened to proceed entirely satisfactorily. He therefore concurred in the policy on which he believed the noble Lord opposite (Lord Stanley) had acted—that of endeavouring to induce the inhabitants of English colonies to use the English language. He thought it a great error on the part of the missionaries in New Zealand that they had reduced the barbarous language of the tribes there to the condition of a written language; and he believed that it would have been far more advantageous if from the beginning, when the natives were taught to read and write, they had been taught to read and write the English language. In that case they would have enjoyed the immense benefit of being put at once into possession of those great intellectual advantages which our language was the medium of conveying; but so long as the New Zealand tongue was made the means of instruction for the natives they would be excluded from those ideas and that information which centuries of civilisation had introduced into this country; or could at most only become acquainted with them by means of the necessarily imperfect translations of English books and English ideas into their rude and inartificial language. Under existing circumstances, then, it was proposed by the present Bill to leave to the Governor the power of regulating the qualification for burgesses in corporate districts, though he (Earl Grey) thought that, after a reasonable interval, the power of reading and writing English should be enforced as a necessary qualification for any franchise. Looking, then, at all that could be said on both sides of the several questions that had been brought under the notice of their Lordships, he ventured to believe that the balance of advantage was in favour of the course pursued by the Government; and he thought that he should at present best discharge his duty as a Member of that House and a Member of the Government by abstaining from any remarks which were not strictly connected with a reform in the administration of the affairs of New Zealand and would conclude by simply moving that the Bill be now read a second time.

Lord STANLEY said, that the noble Lord who had just concluded his speech, told them that he had confined himself to the topics which were strictly connected with the government of New Zealand.

Now, he would take the liberty of saying that the noble Earl had not practised any such abstinence; for his own part, he must say, that with every disposition to adopt the measure proposed by the Government, he did not see, even upon the statement of the noble Earl himself, any near prospect of the settlement which he anticipated, and which, under the present circumstances of the colony, it was most desirable should be accomplished with the least possible delay. He wished at the outset to remind their Lordships that Parliament need not fall into any inconsistency in the character of its legislation with regard to New Zealand. It must, of course, be in their Lordships' recollection, that at the end of a very long and eventful Session, when the noble Earl came into office, he proposed a Bill, out of which this measure necessarily arose. That Bill did not make further provision for the better government of New Zealand; but, on the contrary, its purpose was to give power to the Government at home to make regulations for the better government of New Zealand. Under that Bill certain instructions had been issued to the authorities at New Zealand, and in those instructions there being certain defects or imperfections, the Bill now before their Lordships had been introduced for the purpose of remedying the instructions issued under the authority of the previous Act; and it was not at all for the purpose of altering the Act itself, that the present measure had been introduced. He did not mean to say that if he had been in his place in Parliament he should have opposed the former Act; he believed he should have given his assent to it, for this among other reasons, that he thought the less that Parliament interfered with the discretionary powers intrusted to the Secretary of State, the better would the colonies of this country be governed. He cordially assented, then, to the provisions of the Bill, so far as it entrusted to the Crown the power of framing regulations for the government of New Zealand. Still, he thought that the measure had been hastily and prematurely introduced. He believed that it was an ill-judged concession to a demand for popular rights, without due consideration being paid to certain existing circumstances in the case which made the bestowal of these popular rights premature and inexpedient. He need not now go back to the history of the early settlement of New Zealand, especially since the discussions which had arisen on that subject had been mixed up with no little acerbity and violence of feeling; but he might assuredly assert, that there existed particular circumstances connected with that colony which made the bestowal of popular rights upon one class, and one class alone, of the community, a matter of extreme delicacy and difficulty; while the Executive Power, both here and there, had a task of great nicety to perform in becoming the mediators between two races so dissimilar in their habits and their origin. He had listened with great gratification to the eulogy pronounced by the noble Earl upon the ability, zeal, and prudence which had been displayed by the present Governor of New Zealand—to the testimony borne by the noble Earl to the executive merits of Governor Grey. He, on his own part, was perfectly willing to bear his most cheerful testimony to the merits of Governor Grey. He had had the satisfaction of selecting him for that office, and conferring on him that appointment; but in listening to the praises of that able and skilful administrator of colonial affairs, he could not help regretting that the noble Earl opposite had thought it necessary invidiously to contrast the merits of Captain Grey with those of his predecessor. Although he (Lord Stanley) thought that Captain Fitzroy had acted with imprudence in many respects, and although he had felt it to be his duty to recall him, still, he would say, that there never was a man who, in the performance of his public duties, was actuated by more honourable, more high, and more praiseworthy principles. He took the government of New Zealand at great personal loss to himself; by taking it he sacrificed the position which he had previously held in this country; he relinquished much which few men would willingly give up, for the purpose of doing that which he believed would be for the public good. Then, in any attempt to contrast the conduct of one Governor with that of another, it was not to be forgotten that much larger means and authority had been given to Captain Grey than had ever been conferred upon Captain Fitzroy; and thus another lesson had been given which he hoped would not be lost on the other House of Parliament, and more especially he hoped that the other lesson which our experience in this matter taught would not be thrown away upon either House of Parliament. From its outset, they were told, the colony was to be a self-supporting colony, in which a population from this country were to be set down and at once surrounded by all the comforts of civilised life. And this was to be done without the slightest expenditure on the part of this country. There were to be no demands for military or naval forces. The colony was to enjoy free institutions, and to support itself. Such were the promises. What were the facts? In a short time it was found necessary to apply for considerable annual grants in aid of the colony. In 1846, Captain Grey stated in one of his despatches that 36,000*l.* a year for several years would be requisite for the support of the colonial institutions—that a permanent force of from 2,000 to 2,500 men would be necessary to maintain order, and protect the interests of natives and settlers—and that a vessel of war would be always required to be stationed on the coast. And this he might remark, in passing, was the way in which colonial establishments were forced upon Governments; and thus it was that when the necessary expenditure was incurred, Governments were again charged with having lost sight of any principle of retrenchment and economy. The fact was, that if we insisted upon having distant settlements all over the world—if we chose to allow our subjects to settle here and there, and to erect colonies which they promised should be self-supporting—if we continued to pursue this policy, then every new settlement would be a new deception, and every new establishment an inevitable source of increase in our naval and military as well as in our civil expenditure. To return to the affairs of New Zealand. Whatever might be the protests, and whatever might be the declarations made on the subject before Captain Fitzroy was sent out, there could be no doubt of the fact that after he went to New Zealand he found himself in a position of great difficulty, and felt the necessity for a naval and military force insurmountable. He had great difficulties with which to contend. He found in the colony natives in number about 120,000, armed, active, and intelligent men; the Europeans not amounting to 12,000, and scarcely a soldier to aid him in maintaining peace between the natives and the settlers: it was not just or generous to say that under such circumstances Captain Fitzroy had failed in an experiment wherein Captain Grey had succeeded; neither was it wise to give much weight to many of the theories which went abroad respecting our intercourse with uncivilised tribes; there seemed to be a great disposition to underrate the physical means which they possessed, and the degree of civilisation which they enjoyed. Every year new facts must come to the knowledge of the Government, tending to undeceive them on those points. In illustration of the errors which prevailed on these subjects, he might be allowed to recall the attention of the House to the terms in which the noble Earl opposite spoke of the language of the native inhabitants of New Zealand. He described it as a barbarous dialect, through the agency of which no complex ideas could be expressed, or any subtle principles conveyed; in reply to that he should merely observe, that from one specimen alone it might be considered quite sufficient for all the purposes of ordinary business. It was said by those so-called barbarians, that "the Sovereign of this country was to have the shadow of the land, but that the substance of the soil should still rest in the natives." This was an expression which could not be couched in a rude and barbarous and defective tongue, any more than the idea which it metaphorically conveyed could have been conceived by a savage and unintelligent people. He would beg to remind their Lordships of another proof of the civilisation of the New Zealanders—they all remembered the case of the woman and the two children who were taken in a loghouse, when her husband and another soldier were killed in battle; the woman and the children were passed forward to the European troops at a time when the natives were in a state of the highest possible excitement. A more recent case occurred in a skirmish where two or three soldiers were killed; and, so far from the natives committing any act of indecency, or in any manner mutilating the corpses of their fallen enemies, they took the bodies of the soldiers and performed the burial service over them. Then, in the year 1846, a despatch from Governor Grey informed the Government that the native inhabitants of New Zealand had no objection to customs duties; they said they were aware that no Government could go on without revenues; that luxuries and necessaries imported into New Zealand might fairly be charged with the expenses of the system under which they were introduced; and that the consumers of such articles ought to pay for them whatever was in its own nature reasonable. They considered, that so long as the Government revenues were derived from duties on luxuries, the Government would have a deep interest in the prosperity and well-being of the natives of New Zealand, and that gave them the best possible security that the happiness of their social state would be identified with the interests of the Government. A people who reasoned thus required no enlightenment from the science of political economy. Governor Grey had stated some very satisfactory facts respecting the works of improvement undertaken and executed by natives of New Zealand. In one of his despatches he enclosed a report from Major Marlow, commanding the Royal Engineers, from which it appeared, that about 70 natives were then daily employed upon the works in progress by the Engineer Department; that many of these men were, in some kinds of skilled labour, equal to European mechanics; and a party of Maories had, unassisted by Europeans, built a wall of considerable extent in a most creditable manner; that out of 67 men employed by Major Marlow on one work, there was not one who could not read his language, and only one who could not write; that during six months there had been only one case of drunkenness amongst the natives employed by the Engineer Department, and that many laid by a portion of their wages; whilst nothing could be more satisfactory than the testimony borne by Major Marlow to the moral and religious character of the natives he employed. These people, therefore, were not to be termed savages. He now called the attention of their Lordships to the proposition of the noble Earl, and to the necessity assigned for the Bill he had brought forward. The only ground for the measure was, that although Her Majesty had the power of amending or repealing the letters patent and instructions, there was a doubt whether Her Majesty had the power to suspend them. If, therefore, the noble Earl had not insisted upon the principle of suspension, leaving it to the Governor of the colony to carry the constitution into effect; if he had been only satisfied with advising Her Majesty to amend or repeal so much of the letters patent or instructions as he now proposed to suspend, there would have been no necessity for coming before their Lordships at all. With respect to the constitution itself, some things had been said by the noble Earl with which he (Lord Stanley) cordially agreed. He concurred with him in the expediency of granting to a colony like New Zealand a certain degree of power to exercise local taxation and local government; but he must say, although he was willing to give municipal institutions to the settlers, those institutions, and the nature of the functions to be exercised by the settlers, ought to be adapted to the numbers of the population, and not to be such as were totally incompatible with their circumstances. If power were given to the settlers to impose taxes for local improvements, a power which had nothing to do with general legislation, all would be done that was required. The European population of the islands was 12,000, or 14,000, or 16,000; and what was the machinery of government to be given to these 16,000 persons? There was a Governor-in-chief, two lieutenant-governors, a general legislative council, and provincial legislative councils, representative assemblies, mayors, and town-councils, and all for 16,000 persons. There would be hardly a single individual who would not be one of these functionaries; they would be all elected, and no electors. In the despatch of Governor Grey to the noble Earl, pointing out the inexpediency of introducing the new constitution into New Ulster, he said—

> "By the introduction of the proposed constitution Her Majesty will not confer, as is intended, upon Her subjects the inestimable advantages of self-government, but she will give to a small fraction of one race the power of governing the large majority of Her subjects of a different race. She will not give to Her subjects the valuable privilege of appropriating as they think proper a large revenue raised by taxation from the great majority of Her subjects of another race; and these further difficulties attend this question, that the race which is in the majority is much the most powerful of the two; the people belonging to it are well armed, proud, and independent, and there is no reason that I am acquainted with to think that they would be satisfied with, and submit to, the rule of the minority, whilst there are many reasons to believe that they will resist it to the utmost. Her Majesty's native subjects will certainly be exceedingly indignant at finding that they are placed in a position of inferiority to the European population. A great change has also recently taken place in their position; the mutual jealousies and animosities of the tribes have greatly disappeared, and a feeling of class or race is rapidly springing up, and has been greatly fomented by the efforts which have been made by designing Europeans to obtain their lands from them for a merely nominal consideration."

This was a point to which the noble Earl adverted when he said that if any observations were made connected with it, he should be ready to reply to them. He (Lord Stanley) did not mean to revive the question between Her Majesty's Government and the New Zealand Company; but of this he was convinced, that the principle of the possession and the enjoyment of the rights of landed property, together with all that belonged to that landed property, by the people of New Zealand—he was convinced that that principle it was, which, explained by the missionaries, was the one on which the natives assented to receive the sovereignty of Great Britain; and that no attempt could be made by this country to infringe upon the sacredness of that principle, without raising a just, he would add, a dangerous feeling of resentment in the minds of the natives themselves. With respect to the protest of the Bishop of New Zealand, the noble Earl had used very strong language regarding it, and inveighed against what he termed its imprudent tone and dangerous tendency. As to the motives and zeal of the right rev. Prelate, no man could for an instant entertain a doubt; and he was of opinion, without pretending to canvass the general subject, that his error, if error it were, was very pardonable. He must say that he had understood the despatch of the noble Earl in the same light as that in which it appeared to be understood by the right rev. Prelate, and that a distinct instruction was given not to give way except in particular cases, and not to abandon the principle that the natives had no right to the land. The noble Earl had undoubtedly qualified that passage in his despatch; but he (Lord Stanley) was not sure that the noble Earl had not reserved to the Governor of the colony a distinct power not to part with land but upon the principle he had laid down, and had not required him not to abandon the principle that the native tribes had no right of property in land which they did not occupy, and which had remained unsubdued to the purposes of man. Upon this subject, which he thought was indissolubly connected with all legislation respecting the islands, he was surprised that the papers laid before Parliament contained no opinion of Captain Grey as to the instructions he had received from the noble Earl upon that head. He firmly believed that Captain Grey (and he would not hold the same high opinion of him which he held did he think otherwise) was as much determined to maintain the principle of the sacredness of the right of the tribes to their land, and to maintain that principle as binding on the British Government. He was firmly persuaded that the natives would not permit their land to be taken from them by force, although they were willing to make it over to the Government by a fair contract, bargain, and sale. He did not dissent from the proposition of establishing some degree of local self-government in New Zealand; but he entertained great doubt whether the principle of a general legislature could be introduced into the colony—an imitation, as it was supposed, of the British constitution, though it had not the slightest resemblance to the British constitution. It was said, that it was an indefeasible right belonging to British subjects, when they went out to a colony, that they carried their constitution with them. But it was impossible to transplant constitutions; and when people talked of the British constitution in the colonies, all they talked of was a representative House of Assembly; and they considered that as the British constitution, forgetting that there were other important elements, namely, the Executive Ministers of the Crown and a House of Lords. He thought that the promulgation of his views by the noble Earl, without a previous communication with the Governor of the colony, was an imprudent and a hasty act; it did appear to him that it would have been infinitely better had the noble Earl advised Her Majesty simply to repeal the constitution, and restore everything precisely to the same footing which it had stood in 1840, on waiting till legislative functions had developed themselves, and the Governor of the colony had declared that the time was ripe for transplanting the principle of representative government. Now the noble Earl had taken a contrary course. First, he called upon Parliament to agree to this measure, and then he called upon Parliament to interfere and suspend it, placing the Governor in a position in which he ought not to be placed, subject to all the liabilities of rejecting or granting these privileges—in fact, endowing him with a power which he ought not to possess. The better course would certainly have been to have permitted the Governor to have framed his own measures—to have given him an opportunity of explaining them in principle and detail—and then to have advised Her Majesty, after duly weighing the whole matter, that she could safely assent to the proposed measures. He could not really see the reason why the word "repeal" was not substituted for "suspend."

Earl GREY said, that the Crown lawyers had been consulted upon the question, and they were of opinion that, although it was in the power of the Crown to suspend or repeal for the purpose of amendment, the constitution could not be absolutely suspended without the consent of Parliament.

Lord STANLEY said, it was only another proof of the ingenuity of the gentlemen of the legal profession, who were able to raise questions where none could be reasonably expected to arise. These gentlemen came to that opinion in the very teeth of an Act of Parliament, which expressly provided that the Crown might from time to time either repeal or amend these institutions as occasion might require. It would be very difficult to convince him, with all due deference to the opinion of the legal gentlemen, that they had not the power to repeal except by the way of amendment. With regard to this point of suspension, he thought that it would be much better if the constitution had been wholly repealed instead of being suspended. The noble Earl had stated, that where there were existing institutions, it was not usual or constitutional to proceed otherwise than by suspension; but he would remind him that, in this case, there were no institutions existing—they had been merely created, but had never been in operation, so they were about to suspend that which never existed, and to cancel that which had no presence. They might talk of the British constitution, but it was not such; it was not even a representatien of the British constitution. It was after the model of the French constitution. They constructed an electoral chamber, which then chose the elective body. He did not mean to offer any opposition to the Bill, as he thought the less Parliament interfered in the management of the colonies, and the more it left to the discretion of the Secretary, the better it would be for all parties. Besides, he thought that it was a step in the right direction, and he therefore did not think himself bound to offer any opposition to the second reading.

Earl WALDEGRAVE was understood to approve of the second reading.

The Earl of ST. GERMANS also approved of the greater portion of the Bill. He felt satisfied, from experience, of the soundness of the system of self-supporting colonies. Notwithstanding the severe strictures of the noble Lord (Lord Stanley), he believed that the noble Earl, in his despatch to the Governor of New Zealand, laid down general doctrines which were quite incontrovertible, and which had been acted upon by this country from the earliest period of colonisation. Those doctrines were acknowledged to be true by all writers upon the subject. It was utterly impossible to give to barbarians the right of sovereignty, as they were incapable of government. He (the Earl of St. Germans) could not entirely assent to the principle of this Bill. He gave the noble Earl the fullest credit for the motives which, in 1846, urged him, probably with some degree of undue precipitation, to the measure which conferred upon the people of New Zealand the privileges of local institutions. In urging forward such a measure, he believed that the noble Earl yielded to the wishes of all parties in this country. But he thought that this measure would deprive the people of New Zealand of privileges to which they had become fairly entitled. He would, nevertheless, refrain from taking upon himself the responsibility of checking its progress.

Earl GREY replied: Between him and the Governor of New Zealand there was not a shadow of a difference of opinion. No man held more strongly than the Governor did, the absolute necessity of insisting on the carrying out of the doctrine that all title to land in colonisation must be derived from the Crown. The Crown was the trustee for the general benefit of the population, native as well as settlers. The natives were to be secured in the enjoyment of what was necessary for them according to the manner in which they had been accustomed to live; but what was wanting for the purposes of civilised men the Crown would insist on using. He begged to disclaim any intention of saying anything reflecting upon Captain Fitzroy, whose motives no man doubted to be otherwise than the most pure and honourable.

Bill read 2^a.

House adjourned.

HOUSE OF COMMONS,

Tuesday, February 29, 1848.

Minutes.] New Writ.—For Lancaster, *v.* Samuel Gregson, void Election.

Public Bills.—1° Election Recognizances.

Petitions Presented. By Mr. Feargus O'Connor, from National Charter Association, for Universal Suffrage.—By several Hon. Members, from a great many Places, for and against the Jewish Disabilities Bill.—By Mr. John Tollemache, from Wesleyan Methodists of Congleton, against, and by Mr. Reynolds, from Scotland, in favour, of the Roman Catholic Relief Bill.—By Mr. G. S. Duff, from Elgin, for Abolition of Tests in Universities (Scotland).—By Captain Boldero, and Mr. Raphael, from several Places, for Inquiry into the Case of the Rajah of Sattara.—By Captain Dawson, from Monaghan, for Inquiry respecting the Excise Laws.—By several Hon. Members, from various Places, against the Continuance of the Property Tax.—By Mr. Clay, from Kingston-upon-Hull, for Repeal of the Window Tax.—By General Lygon, from Members of the Independent Order of Odd Fellows, Manchester Unity, of Droitwich, for Extension of the Benefit Societies Act.—By Mr. Adderley, and other Hon. Members, from several Places, against the Diplomatic Relations, Court of Rome, Bill.—By Mr. O. Gore, from Sligo, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Bright, from Doune, for Repeal of the Game Laws.—By Mr. Reynolds, from Mayo, in favour of the Landlord and Tenant (Ireland) Bill.—By Mr. F. O'Connor, and Mr. B. Wall, from Members of the National Land Company, for Alteration of Law affecting that Company.—By Mr. C. Buller, and Mr. G. Heathcote, from several Places, for Retrenchment of the Naval and Military Expenditure.—By Mr. Robinson, from Shipwrights of London, against the Repeal of the Navigation Laws.—By Mr. Walter, from Nottingham, for Alteration of the Poor Law.—By Sir T. Burke, from Ballinasloe, and Sir P. Nugent, from Westmeath, for Alteration of Poor Law (Ireland).—By Mr. Rufford, and other Hon. Members, from several Places, for Alteration of the Public Health Bill.—By Mr. A. Oswald, from Stronsay, and Sir G. Clerk, from Peebles, for Ameliorating the Condition of Schoolmasters (Scotland).

THE FRENCH REPUBLIC.

MR. **MONCKTON MILNES**: I am desirous, Sir, to know whether the Provisional Government established at Paris has made any formal communication of its existence to the Foreign Powers of Europe?

VISCOUNT **PALMERSTON**: I have received this morning from Lord Normanby a copy of a communication which was made by M. de Lamartine, who is Minister for Foreign Affairs in the Provisional Government—a copy of a communication made by him, I think, to all the foreign Ambassadors at Paris, announcing the formation of the present Provisional Government, and declaring at the same time that the new forms and institutions which have been adopted by France will make no alteration in the position of France in Europe; and that the French Government will display the same loyal and sincere desire of maintaining the most amicable relations with all Powers who may, like France, determine to respect the independence and rights of nations.

POOR LAW IN IRELAND.

COLONEL **DUNNE** rose to move—

> "That a Select Committee be appointed to inquire into the working and efficiency of the Poor Law in Ireland."

The present state of Ireland clearly demonstrated the necessity of such an inquiry. He was not one of those who maintained that Ireland should be exempted from any taxation to which other portions of the empire were subjected; but he certainly did think that before she was made to bear precisely the same burdens, she ought to be placed on precisely the same footing. At the present moment, she was not on the same footing as the other portions of the empire, and she ought not to be subjected to the same rule of legislation. This was true of taxation, and it was also true of the poor-law system. A poor-law system exceedingly just and equitable in England, might not be at all applicable to Ireland. There were certain districts in Ireland where men and women were every day dying of starvation, and where property was merging imperceptibly but surely into pauperism. That the property of a country should be taxed to support its poverty was an abstract proposition from which he was not disposed to dissent; but the case of Ireland was an especial and peculiar one. Situated as that country was, it was impossible that its property should, for some time at all events, sustain the enormous mass of destitution which was thrown upon it, and some change in the law was imperatively demanded. The fact was, the country could not go on with the poor-law as at present administered, and some change was necessary for the salvation of the population. The pressure of distress was not just now felt with such dreadful severity as had been occasionally experienced. The reason was, large numbers of the labouring population were employed just at this time of the year in those agricultural operations which were customary in the spring time; but he predicted that during the period which would elapse between the months of May and August, the distress would be felt quite as painfully as it had been at any period last year; and that there was no measure of relief that had been adopted last year that they would not have to adopt this year as well. The fact of a landlord drawing largely on his own resources for the employment and relief of the poor of the surrounding district, did not relieve him from the pressure of pauperism. He knew an instance where a gentleman expended 10,000*l.* on the improvement of his estates; and nevertheless he had to pay 7*s.* 6*d.* in the pound poor-rate for three months. One great desideratum was, that the areas of taxation should be contracted. If that improvement were introduced, there were unquestionably some districts in Ireland which would be enabled to support their own poor; but he was acquainted with many districts of the country where the whole valuation of the surrounding territory would not be sufficient for that purpose. The law ought to be altered, and a fund ought to be created for the relief of such districts as were inadequate to the support of their own poor. The working of the law as at present administered was a very proper matter for investigation; and if a Committee such as he applied for were granted, he would submit propositions which he trusted would tend to mitigate the evils of the present system. Practical suggestions of a valuable character would also emanate from other quarters, and the services on the Committee of English gentlemen accustomed to the working of the poor-law system in this country would no doubt be found highly beneficial. There were two great evils in the present system: one, the vast extent of the area of taxation; and the other, the inequality of the different ratings in the various unions. These evils should be immediately remedied; and the mode of administering the poor-law ought to be accurately inquired into, with a view to its emendation. Ireland was suffering under a mass of evils, which had been very much aggravated by the recent alterations in the commercial policy of the country; and it was a mistake to suppose that either in the matter of poor-laws, or in any other matter, the same rule of legislation could be applied to countries so differently circumstanced as England and Ireland. The hon. and gallant Member concluded by moving for a Select Committee.

Mr. O'FLAHERTY: The Irish poor-law had been shown to be quite inadequate for the relief of destitution in that country, though it might in some cases have somewhat mitigated the pressure of the distress. In certain parts of the country the people were dying by hundreds; and he found by statements given in a local paper that in Connemara distress prevailed to a dreadful extent, and that the poor-law had there proved a complete failure. This state of things extended all over the western parts of the county of Galway. The proprietors of Ireland were anxious to carry out the poor-law in all its integrity; but experience had shown that it was not adequate for the purpose for which it had been framed. He complained that boards of guardians had been insulted by the Poor Law Commissioners, who, after dismissing them, appointed paid officers to discharge their duties. He thought a Committee was loudly called for on this subject; and, if such Committee were given, they would be able to prove that the poor-law was wholly incapable of relieving the vast amount of distress that existed in Ireland.

Mr. H. DRUMMOND believed that there was no more effectual mode of dealing with the poverty of Ireland than carrying out *bonâ fide* the same institutions which existed for that purpose in this country; and he considered that an attack made on the poor-law administration in Ireland was in fact an attack on the poor-law administered here. He must observe —what could not fail to have been observed by all the English Members—that there was exceeding difficulty in coming to an exact knowledge of the facts existing on the other side of the Channel. He had found, for instance, in the Devon Report no fewer than 340 distinct contradictions of matters of fact sworn to before the Devon Commission. The Motion before the House was for a Committee to inquire whether the poor-law was adapted to Ireland. [An Hon. Member: Only into its efficiency.] Well, for an inquiry into the efficiency of the poor-law. On that point he would observe, that at present the cost per head of paupers in England was 3*l.* 14*s.* a year; while the cost of supporting Irish paupers was 1*l.* 13*s.* a head. Therefore the heavy burden of which the Irish Members complained, was not half what it was in England. It appeared, however, that several boards of guardians had been dismissed; and the hon. Gentleman who seconded the Motion said they had been insulted by such dismissal, and by the appointment of paid officers. He believed there was not a case in which they had been dismissed where it would not be found that the guardians neglected the administration of the law. He found, on looking into the first number of the blue books published by the Poor Law Commissioners, some very singular information bearing upon the manner in which the interests of the poor were attended to by particular boards of guardians. For example, he found that the board of guardians in Skibbereen met for the purpose of considering the propriety of opening soup-shops, and also the carrying out of the Drainage Act by the landed proprietors. But did they consider any such things as these? No. They resolved to bring about relief by emigration. Upon this principle of transacting business they might expect, if there was an Irish Parliament, to see them enter upon an Order of the Day to consider the drainage of towns, then begin a debate on the arming of the country, and come to a conclusion about an income-tax. He found in the same blue book a statement, that in the Castlebar union they refused to strike a rate for the support of the poor, though at the time they refused to levy that rate there was an immense amount of destitution under their eyes. It appeared from the report of the Commissioners, that in the hospital in this union, day after day, the sick had not got the diet prescribed for them, and that generally the diseased inmates had not been properly attended to. This was under the very eyes of the guardians; and yet a rate was not levied. In reference to the Ballyshannon union, a letter was given in which the destitute condition of the poor was minutely described. The facts were laid before a meeting of the guardians, and indeed must have been well known to them; but the board adjourned without coming to any resolution whatever. He found it stated also, with reference to the Castlebar union, that there were only 100 inmates in the workhouse, though it had accommodation for 600, and this when the severest distress existed among the population. No wonder that the Commissioners came to the conclusion that there could be no doubt the board of guardians had failed in discharging their duty. The hon. Gentleman read various details of improper management in the infirmary wards of the county of Mayo union, showing that boys, women, and girls were mixed in a crowded manner, and without any attempt at classification, in the same dormitories—that the cases were improperly looked after—that forty-five women, boys, and girls had been in the house for five or six weeks—and that none of the board of guardians had ever visited the house. It was a perfect farce to say that the Government could do anything but dismiss these boards of guardians. And yet it was styled an insult. [An Hon. Member: Who said so?] He certainly understood the hon. Gentleman who seconded the Motion to say that the boards of guardians were insulted by the Irish Poor Law Commissioners when they were dismissed; but he contended that the Commissioners would not have done their duty if they had not dismissed the guardians, and appointed paid inspectors in their place. Of course, the consequence of such a course was that extraordinary charges were thereby laid upon the district. He believed that in carrying out a system of laws so unlike any that had ever existed in that country, extreme difficulty must be experienced; but he did not think that the guardians were entitled to consider themselves insulted because they had been dismissed for neglect of duty. As regarded giving money for work, or food for work, there could be no objection, as the work went to the credit of the union; but certainly no money should be given where it might be collected by the priests and sent up to Conciliation-hall. He thought it would be a great misfortune if this Committee was granted, for it would lead to the notion that there was some doubt in that House as to the propriety of the poor-law. He had no doubt on the subject; but a very slight glance at the reports of the Commission would show the great difficulties which the Government had in carrying the law into operation.

Sir G. GREY: Although I am very far from affirming that the existing poor-law in Ireland may not have some defects, and still further from affirming that there may not be faults in its local administration; yet I agree with the hon. Gentleman who has just sat down in thinking that the appointment of the Committee moved for by my hon. and gallant Friend the Member for Portarlington would at the present time only have a mischievous effect, and tend to aggravate the difficulties which now exist in bringing the poor-law into beneficial operation in that country. I think it would retard the exertions which are now being made with great success with a view to that object. It would bring away from Ireland to give evidence before that Committee those men whose daily and hourly exertions are devoted to that important subject; and I therefore hope the House will agree with us in opinion, that it is desirable that this Motion should not be acceded to. Having given the utmost attention to the speech of my hon. and gallant Friend the Mover of the resolution, and likewise to the speech of the hon. Gentleman the Seconder of the resolution, I cannot see any precise object which they propose to be effected by it. My hon. and gallant Friend who proposed the resolution has said that the poor-law has been tried in Ireland and has failed; and the hon. Gentleman the Member for Galway asserts, in precise terms, that no system of poor-laws in Ireland can be adequate for the relief of the people—that the poor-law is a total failure—and that the law as administered in the west of Ireland has not even afforded a mitigation of the mass of pauperism and distress. [Mr. O'FLAHERTY : I said quite the contrary.] I certainly understood the hon. Gentleman to make the statement I have mentioned. It is impossible to divest one's self of the impression which must be conveyed to hon. Gentlemen by those speeches, that the object of this Motion is to show that the pauperism of Ireland cannot be supported by poor-rates collected in Ireland, but that there must be a grant of money for the purpose. What object has my hon. and gallant Friend the Member for Portarlington stated? The only object I can collect from his speech is, that the areas of taxation should be lessened, because those persons who employ labourers are called upon to pay rates for the support of the pauperism around them; and the object which he looks on as likely to result from this Committee would be that those parties would be exempted from paying a portion of the burden to which they are now subject for rates, if they contribute to the employment of the people on their own properties and in their own immediate neighbourhood, by taking loans under the Land Improvement Act. But if you materially lessen the areas of taxation, the result will be to withdraw from the rates now applicable to the relief of the destitute, the portion paid by certain proprietors within the present areas. Now, there may be places where a great deal is spent in labour, while there are other places where there is nothing spent in labour; and if those parties who spend money on labour were altogether exempt from the payment of the rates, the necessary result would be, that pauperism would exist in the other districts without the fund now applicable to its relief; and our object, my hon. Friend says, should be to provide funds for those districts that are unable to support their poor. [An Hon. MEMBER : They don't want that.] Then what do they want? [An Hon. MEMBER : An inquiry.] Then what is the object of the inquiry? It is said that the poor-law has been a failure this year. Now, I admit that the poor-law, administered as it has been in some places, has failed, not so much from want of funds applicable to the relief of distress, but from the want of the due and efficient administration of those funds. I believe that many of the deaths which have occurred are to be attributed to the neglect of boards of guardians fairly and honestly to administer the law. And there is not a case in which a board of guardians has been dismissed, in which such a proceeding was not absolutely necessary for the sake of the poor, who looked to them for relief, and in order to render the law available for the objects for which it was intended. I will take one instance. The Cavan board of guardians became bankrupt two months ago, and it was said they were unable to collect the rates. It was alleged that it was a failure of the poor-law; that no rates were to be extracted from the parties liable to pay them; and that the Government must step in and advance the funds. What did the Poor Law Commissioners do? Acting according to the spirit and the letter of the Act of Parliament, and in accordance with the pledge given by the Government, that where a board of guardians neglected its duty, the Poor Law Commissioners would supersede them, and appoint a paid board of guardians in their place, they dismissed that board of guardians, and appointed paid guardians; and within six weeks the state of the union under those paid guardians was entirely changed. I am happy to tell the hon. Gentleman the Member for West Surrey that he is mistaken in supposing that a great extra charge has been incurred by the employment of those paid guardians. The salary is not large; and I believe there is no instance where they have been appointed, in which the appointment has not saved money, and yet provided far more adequate relief to the poor. In Cavan, when the paid guardians came into office, they did not find one shilling of funds collected for the relief of the poor. They applied to the Government, and obtained, through the agency of the British Relief Association, a loan of 300*l*. With that money they provided for the immediate wants of the poor. They appointed a collector, and took vigorous measures for the enforcement of the rates. The result was that in six weeks they collected 12,000*l*. They repaid the loan; at the end of six weeks they had 5,000*l*. in hand, and relieved (in addition to the persons in the workhouse) five or six thousand persons—by outdoor relief. That is an illustration of the opinion I have expressed that it is owing chiefly to some mismanagement, and not to the want of funds, that deaths from destitution have occurred in various parts of Ireland. I am not prepared to state that the most honest exertions can raise sufficient funds to meet the extraordinary amount of distress in several unions in Ireland; but they have not been left to struggle alone and unaided, for out of the funds at the disposal of the British Association—and which are administered now in conjunction with the poor-law — 94,000 children are now receiving daily rations of food; and their parents are relieved from any expense on their account. There has been also a gradual increase of the funds supplied by the British Association, through the same agency, in aid of the rates in unions where pauperism was most severely felt; there is now a daily expenditure of 800*l.* or 900*l.* out of the funds of this association in aid of the rates. But in some places where deaths have been reported, there has been no application for relief. An inquiry into the circumstances has been made, and it has been found that the parties themselves had neglected to apply for the relief which they might obtain. I am happy to state that the funds generally have greatly increased out of which such relief is given. I made a statement not long ago, with reference to the collection of the poor-rate within the last few months, as compared to the corresponding months of the previous year. It appears that the collection of the rates at those respective periods was as follows: — The collection amounted to 151,684*l.* in November last, which is to be compared with 36,639*l.* collected in the previous month of November. The collection in December last was 168,680*l.*, to be compared with 46,440*l.*, collected in the month of December of the previous year. Since that time we have received the return for January last, and the collection for that month amounts to 190,000*l.* But then a charge is made of severity in the enforcement of rates. It is rather hard upon those who are entrusted with the administration of these laws, to say on the one hand they are chargeable with the deaths of people because they do not duly administer the law, and on the other hand to say they have entered upon a crusade against the poor farmers to compel them to pay rates. The law has vested in them the power to collect and administer the rates, and that is a duty they have been performing under great difficulties; and I must say their success has exceeded the expectation of the Government, and the amount of money drawn from the collection of the rates applicable to the relief of destitution has been larger than was anticipated. When I speak of the maladministration of the law, far be it from me to say that it is universal. The observation applies only to a comparatively small part of the country, for in many unions boards of guardians have been most zealous in the administration of the law; and they may be compared with the guardians of any unions in England. With regard to the diminution of the area of taxation, I know it is a very popular idea with many Irish Members. The hon. Gentleman the Member for Longford gave notice of a Bill for substituting townlands for electoral divisions. He was not in the House when his name was called; and I do not know that it is his intention—I apprehend it is not—to bring forward that Motion. Let us not, however, enter into a Committee with the avowed object of lessening the area of taxation, and by doing that give rise to uunfounded expectations. [An Hon. MEMBER: There is nothing about it.] An hon. Gentleman says there is nothing about it, but he will find from the speech of the hon. and gallant Gentleman the Member for Portarlington that the only definite object that the hon. Member proposes is to reduce the areas of taxation, and provide from some unknown source for the funds that would be necessary to relieve distressed districts. Now, with regard to townlands, I have to observe that there are 130 unions in Ireland, and 2,049 electoral divisions. The average number of electoral divisions in each union is 15. If townlands were substituted for electoral divisions, there would be, instead of an average of fifteen electoral divisions in a union, an average of 467 townlands forming an area of taxation, each returning a guardian to be a member of the general board of guardians, and each being obliged to keep separate accounts. Such a plan as that is impracticable, and could not be carried into effect. The boards of guardians are at present too large for useful purposes, and that would make them unmanageable; but I am glad to find from many Members from Ireland, that that idea is abandoned. I stated last year, and I repeat it now, that I am far from affirming that the unions in Ireland are not in many cases too large. The subject has been under the consideration of the Government; they have been in communication with the Lord Lieutenant with regard to it; and with his entire concurrence the Government propose to institute an inquiry respecting the boundaries of existing unions and electoral divisions, with a view to reduce in size those which are too large for the practical working of the poor-law. It is desirable to remove the anomalies and inconveniences which at present exist; but it is not proposed to substitute townlands for electoral divisions, or to alter the whole principle of the existing arrangement. There are serious inconveniences at present that may be removed, after an inquiry and report from the persons about to be appointed to take a general view of the electoral divisions and unions. I cannot but feel that the appointment of the Committee at such an early period after the law has come into operation would give rise to the opinion that the law was about to be repealed or modified; but I am far from saying that it may not require alteration in some of its details, after further experience, and that an inquiry at a future time may not be necessary. At present I do not see any advantage that can be gained by the appointment of this Committee; while it may retard the successful operation of the law. The real remedy for many of the evils complained of is to be found not in speeches in Parliament, or by appeals to Parliament, or by the appointment of Committees without any defined object; but in the co-operation of all classes in carrying out the law, the successful application of which can best be effected by the cordial and zealous aid of all persons interested in the welfare of the country.

MR. STAFFORD thought the right hon. Gentleman had given an erroneous—he did not say unfair—representation of the intentions with which the hon. and gallant Gentleman had brought forward the Motion. The hon. and gallant Gentleman took special care to guard himself against being supposed to apply to England for money. His desire was to make the property of Ireland support the poverty of Ireland. In that desire he entirely sympathised. In 26 out of 130 unions the management was not in the hands of guardians representing the people; and in local as well as general taxation its connexion with representation was recognised. But how long was this principle to be set at defiance? The hon. Member for West Surrey had not been felicitous in his illustrations. The right hon. Gentleman (Sir G. Grey) had resorted to the old official artifice in taking refuge, when any one asked for a diminution of the area of taxation, at once in townlands. There were 2,049 electoral divisions, each containing on the average 10,150 acres, which was too large an area for the practical working of the poor-law, which indeed had hardly begun to be fairly brought into operation. If they meant to try the poor-law in Ireland in reference to its working in that country, with a view to ascertain its merits as a legislative measure for good or evil, they had no right to take its practical operation earlier than the month of January last. This afforded no argument, however, against the Committee of his hon. and gallant Friend; because he did not wish to limit the proposed inquiry to the period since the month of January, but to extend it to the time when outdoor relief came into operation. He begged to warn the right hon. Gentleman that the time had not arrived for the construction of new workhouses in Ireland; and at the same time he gave the House fair warning that, if they encouraged the Government in incurring this enormous expense, they must not deceive themselves in supposing that the money so spent would ever be repaid into the Imperial Treasury. He assured the House that his desire was to make Ireland not only a self-supporting nation, but a contributor to the riches of the empire; and he had hitherto endeavoured to impress upon them the necessity of carrying out this principle in reference to their legislation for Ireland. It was competent for the House to say to the landlords of Ireland, "You must depend upon yourselves. You must not look for aid to the union in which you live, nor to the province in which you are situated, nor to the country to which you belong; but you must carry out your great improvements for yourselves." If they taught this great principle in all their legislation for Ireland, they might then consistently say, "Even as we told you to depend upon yourselves as individuals, so we tell you to depend upon yourselves as a nation." But if, on the other hand, they should say to the landlord who allowed pauperism to accumulate on his estate, and to depend upon his more spirited neighbour, "Never mind what you do; there is an improving neighbour next you, and he will support your poor,"—if they said this now, could they, when the same principle came to be applied on a national scale, draw the line where Ireland should cease to seek relief from England? Were they prepared to say that Ulster should pay for the poverty of Connaught? If the Government were not prepared, by lessening the areas of taxation, to carry out the great principle upon which, in his opinion, the welfare of Ireland—the self-respect and self-dependence of the people—rested, he wished to know, not as a mere party question—not as discussed in a mere party debate—upon what other principle they were prepared to act for the welfare of Ireland? The property with which he was connected in Ireland numbered about 6,000 or 7,000 souls; and when he was willing to take charge of them himself, and, in place of shutting them up in workhouses, to employ them in improving the land and developing the resources of Ireland—when he was willing to pay some fine for living in a country which had been too long neglected, by doing his duty as he best could—what encouragement had he to do so under the existing system? He begged hon. Members not to look upon this as a mere local or Irish question—not to think that, because on a *primâ facie* view it seemed to belong to Ireland alone, they should stop there, and concern themselves no farther about it. Hon. Members who came from the manufacturing districts could tell the House, from their own knowledge, how large a portion of their poor-rate was owing to Irish poverty. He remembered hearing the hon. Member for Finsbury state to the House that for every 1*s.* of poor-rate in his parish, 8*d.* was caused by Irish pauperism. He asked them then to send those paupers home to work in Ireland who were at present kept in idleness and misery in England. This was a question which could not be considered as separating the Roman Catholic from the Protestant, the Repealer from the Unionist, the Conservative from the Liberal, or the Whig from the Tory; but a question between those who desired earnestly to do their duty, and those who were determined resolutely to force their duty upon others—simply a question between the improving and non-improving landlords. It could not be a national question. With the permission of the House, he would read the following extract from the *Times*, dated Dublin, February 10, and headed "Carrying out of the Coercion Act:"—

> "The following appears in the *Tipperary Free Press*. It is only by a rigid enforcement of the provisions of the Prevention of Crime Act, that any hope can be held out of the restoration of the country to a state at least bordering on civilisation:—'The high constable of the barony of Middlethird, in this county, has received a warrant from the Lord Lieutenant commanding him forthwith to levy and collect the sum of 10*l.* in the townland of Ballydine, in the parish of Ardmaile, such sum being the estimated expense for three calendar months of one additional constable appointed by his Excellency for said townland, under the late Act, the 11th Victoria, chap. 2, sec. 7. The townland of Ballydine contains, according to the county book, but 33½ acres—therefore this first instalment of the expense to the landholders will be above 6*s.* per acre—which, if collected every three months, will leave them in no enviable position with respect to their little holdings. This tax has been imposed, we are informed, in consequence of the murder of a man named Brown, on the 28th of December last, for which offence there are two persons in custody. The poor occupiers, 16 in number, are in the greatest consternation about this first fruit of the Coercion Act.' In the meantime a step has been taken in the right direction; and should the excellent suggestion of Chief Justice Blackburne be more generally adopted, the occupation of the assassin would speedily be put an end to."

This was in consequence of an excellent provision in our Statute-book, which, by the application of a principle as old as the time of William the Conqueror made a small neighbourhood responsible for the crimes committed in it. Now, he did not wish to extend this principle in all its rigour to the administration of charity as well as to the administration of justice; but he thought it might be so far applied with regard to the poor-law as to force, by individual stimulus, individual exertions in a place where individual exertions could only be permanently, safely, and satisfactorily made available by such means. But he would quote an authority higher than an extract from the *Times*, and which hon. Gentlemen on the other side might think that, as a Protectionist, he was not much in the habit of using, He found Adam Smith, speaking of the taxes upon the rent of land, saying—

> "As the tax upon each district does not rise with the rise of the rent, the Sovereign does not share in the profits of the landlord's improvements. Those improvements sometimes contribute, indeed, to the discharge of the other landlords of the district. But the aggravation of the tax, which this may sometimes occasion upon a particular estate, is always so very small, that it never can discourage those improvements, nor keep down the produce of the land below what it would otherwise rise to."

Now, this was precisely the reverse of the operation of the poor-rate; because, by the present mode of rating, the tax was so proportioned as to offer no encouragement to the improvement of the land. Again, Adam Smith said—

> "The principal attention of the Sovereign ought to be to encourage, by every means in his power, the attention both of the landlord and of the farmer; by allowing both to pursue their own interest in their own way, and according to their own judgment; by giving to both the most perfect security that they shall enjoy the full recompense of their own industry."

He held in his hand a pamphlet on this subject, for which he was indebted to the hon. Member for Stroud (Mr. P. Scrope). It was impossible not to do justice to the motives which induced that hon. Member to write that pamphlet; but while he acknowledged the force of much the hon. Member had stated with respect to the failure of the poor-law, he could not but regret that the hon. Member had not reverted to his original view of the question in favour of smaller areas of taxation, for he (Mr. Stafford) thought he could show that that failure was directly traceable to their having acted upon the opposite principle from that which he was now advocating. If they did not grapple with this subject, and remove the obstacles which stood in the way of the success of the poor-law, the responsibility of its failure must rest on their own heads.

Mr. R. W. FOX said, that he had a notice on the Paper for leave to bring in a Bill not to provide for the support of the whole poor by a townland rating, but to provide in that way merely for the support of the ablebodied poor. Numerous cases could be cited to show the necessity of such an arrangement. He had received a letter from a gentleman who was personally unknown to him; though he believed he was a person of the highest character, showing the necessity of some change in the law in this respect, and suggesting that there should be two rates struck on all occasions —one a union rate for the maintenance of the poorhouse, and the support of the aged and infirm poor, and the other a townland rate for the support of the ablebodied poor belonging to the respective townlands. [The hon. Member read a letter from a Protestant clergyman of high character, but likewise personally unknown to him, stating several cases within his knowledge of non-resident landlords who derived large sums from their estates, but who neglected the poor who were located thereon.] As there appeared to be little chance of carrying the Motion of which he had given notice, it was not his intention to press it; but he hoped the House would agree to this Motion for a Committee to inquire into the present working of the poor-law in Ireland.

Colonel CONOLLY supported the Motion, and complained that there was a spirit of domination with the Poor Law Commissioners, which, if it were indulged in, would be fatal to the proper working of the law. Amongst the Irish Members there had been the greatest harmony on this subject; and he hoped it might continue to exist so as to control the Government, and force them to agree to a Committee of Inquiry.

Mr. MAXWELL said, that as the representative of a constituency in the west of Ireland, he was desirous of declaring that he was not individually opposed to the present Irish poor-law, but he wished to see it better regulated; and he hoped the Government would yield to the appeal that was now made to them. He did not ask them for eleemosynary aid, but merely for a better regulated system.

Mr. F. FRENCH stated that he had come down to the House for the purpose of seconding the Motion of the hon. Member for Stroud, respecting the waste lands of Ireland, which he understood was to have been the question for consideration, and had not, until he heard the speech of his right hon. Friend the Secretary for the Home Department, any intention of interfering in the present debate; but he could not remain silent when he heard it asserted from authority that the present poor-law was sufficient to meet the distress now prevailing throughout Ireland—that there was no want of funds for the relief of the people — that to the maladministration of boards of guardians were the evils complained of mainly to be attributed. This statement he was prepared, from documents furnished by the Commissioners themselves, to show was utterly an erroneous one, and that the law, as a measure of relief for the poor, was a total and complete failure. The hon. Member for Surrey had stated, the Irish Members had nothing to complain of. Was it nothing that an alien Commissioner, ignorant of the interests and feelings of Ireland, should be vested with despotic power in carrying out this law? Why had not this gentleman been sent to Scotland to carry out the views of Government? He differed from the Scottish Commissioners; but, zealous as he was to enforce the Government plans, they did place him on their board. He had been employed there to report on a poor-law for that country, because no Government would venture to insult the Scottish people by placing a stranger at their head. Was it nothing that in the administration of the Irish poor-law, the principle of representation should be superseded by the fiat of an English official; and that the boards of guardians, who were, to the best of their ability, endeavouring to carry this law into effect, should be summarily and insultingly dismissed? Let the hon. Member for Surrey make himself master of facts before he spoke of Irish questions—let him read the papers from the Lowtherstone union, moved for by the hon. and gallant Member for Fermanagh, and then give his opinion on the conduct of the Commissioners. He (Mr. French) contended, that the poor-law of Ireland inflicted a larger amount of taxation upon that country than was borne by England in proportion to their respective rentals. Ireland was assessed at 2,000,000*l.* upon a rental of 13,000,000*l.*, whilst England was assessed at only 5,000,000*l.* upon a rental of 62,000,000*l.* The result was, that the poor-rates could not be borne. In the province of Connaught, three times the rental would barely suffice to meet the demands on it. He held in his hand a table prepared from returns before the House, showing the value and population of each of the nineteen unions into which that province was divided; he found that in Westport the entire value of the property was rated at 38,876*l.* a year, with a population of 77,952; that the union, independent of any debt for the support of its paupers, owed 9,425*l.*, money advanced for building a workhouse; that it was called on to repay 5,624*l.* ration money, with about three times that amount to the Board of Works. That Swinford, rated at 46,016*l.*, had a population of 73,529; that Mohill, rated at 57,777*l.*, had a population of 68,859; that Castlebar, rated at 50,981*l.*, had a population of upwards of 61,000; that Ballina, rated at 95,774*l.*, had a population of 120,787; that Carrick-on-Shannon, rated at 61,650*l.*, had a population of 67,077; that Clifden, rated at 22,426*l.*, had a population of 33,465; altogether the province was valued at 2,500,000*l.*, whilst the population (more than one-half of whom had been on weekly rations) amounted to 1,442,971 persons; they owed 174,000*l.* for workhouses, 200,000*l.* ration money, and 700,000*l.* for public works. The annual value of the county Mayo was 300,000*l.*; its population, 400,000, 300,000 of whom had been in receipt of outdoor relief; at 1*d.* per head, this would amount to 900,000*l.* a year to be levied off property, the entire amount of which did not exceed 300,000*l.* How could these burdens be borne? He denied the right of England to force such a system upon Ireland, as a means of relieving herself from the burdens imposed on her by migrations from the Irish population. This tax was an additional example of legislation for Ireland, for English advantage. At the Union, a portion of the poor of the United Kingdom was unprovided for; one of the conditions of that Union was that Ireland should bear but a certain proportion of any future taxation, notwithstanding which, this crushing impost was placed solely on her land. The law originated in deception. Ministers declared, on the faith of Mr. Nicholls' six weeks' experience, that in no case should its annual amount exceed 320,000*l.* It had now swelled up to 2,000,000*l.*, and they could not calculate on its being much under six. Owing to this poor-law, the county rates had become most difficult to collect, and in the west no rents could be obtained; farmers were leaving their lands unstocked, whilst the rate itself was obliged to be collected at the point of the bayonet, It was rapidly absorbing the capital of the country, and as a measure of relief was a mockery to the poor. Under it the mortality in the workhouses was appalling. Amongst the 149,000 inmates, the mortality was greater than that of this metropolis, with its 2,000,000 of inhabitants. Weekly, from the Irish poorhouses, upwards of 1,000 persons were carried to the grave. If this system was persevered in, in the west of Ireland, they would shortly have little save "carcasses and ashes to rule over." Believing that a self-supporting plan was feasible—that the system forced upon Ireland could not be maintained, either by the wealth or bayonets of England, he should cordially support the Motion for a Committee of Inquiry.

Mr. HUME disapproved of the remarks of the preceding speaker, because they seemed to be directed against the system of poor-laws altogether, rather than its defects. It appeared from the representations of the Irish Members that the machinery of the existing law was defective, and, therefore, the House was bound to grant a Committee of Inquiry. The speech of the Secretary for the Home Department urged no valid reason against the appointment of a Committee. The case of the Cavan union told rather in favour of than against inquiry; for what could be more desirable than to ascertain the means by which the machinery of that union, which was formerly inefficient, had been made to work well? Under these circumstances, it would become the Government to save any further waste of the time of the House by at once acceding to the Motion. It was delightful to hear the Irish Members declare that they did not wish Ireland to be a burden on England. That was very honourable on their part; and in return he would not refuse them an opportunity of inquiry to ascertain what was the best mode of carrying out the poor-law. The Irish Members had, he believed, no intention of going into the Committee with the design of overthrowing the law. Then let them have the Committee.

CAPTAIN JONES said, that it was his misfortune to differ from most of his countrymen in that House upon the question which had been introduced to its notice. The reasons which the right hon. Baronet the Secretary for the Home Department had given for resisting the Motion were quite satisfactory to his (Captain Jones's) mind. The only construction which he could put upon the speech of the hon. Member for Roscommon (Mr. French) was that he was opposed to a poor-law for Ireland altogether. Upon that point he could not agree with the hon. Member, for, in his opinion, the regeneration of Ireland depended entirely upon the carrying out of the poor-law. The hon. Member's figures proved too much. The size of the unions in Ireland was certainly objectionable; and he hoped that the Commission which the Government intended to appoint would suggest a remedy for that; but as regarded the Committee now asked for, he believed that by granting it the House would raise expectations which could not be realised.

MR. FAGAN having had much experience as a poor-law guardian in Ireland, was of opinion that it was necessary to institute an inquiry with respect to the mode of appointing guardians, collecting the rates, and other points. It might be found more convenient to make the landlord liable for the rates in the first instance, as he was with respect to the tithe rent-charge. The authorities in Ireland ought to be invested with the power of sending English paupers to their own country. In the Cork union there were several English paupers.

SIR J. WALSH said, it was a mistake to suppose that the Irish Poor Law was similar to that of England. The machinery was totally different. All hon. Members who were connected with Ireland, with one solitary exception, declared that they were not actuated by any hostile feeling to the principle of the law; but, on the contrary, were favourable to its principle; but still they wished to have an examination into the working of its details, and for this purpose they requested the House to concede to them a Committee. He entreated the Government not to reject an appeal of the whole body of Irish Members upon a question of Irish economy and Irish interests. Could the House say that the poor-law of Ireland was so perfect in its machinery as to admit of no improvement? The Government had admitted that it was not so. They, in fact, admitted that there was a necessity for inquiry with regard at least to the areas of taxation; and they promised that they would issue a Commission of their own upon that subject. But he was not satisfied with that Commission. The House of Commons ought not to be superseded by a Commission appointed by the Crown. It would be a dangerous precedent to allow the grand inquest of the nation to have its functions usurped by a Royal Commission. He was at a loss to conceive on what ground the Government could refuse a Committee demanded by the unanimous voice of the Irish Members. He should deeply regret that the Government, by persisting in their refusal, should put an additional argument into the mouths of the advocates of repeal. He trusted they would reconsider their decision.

MR. SHARMAN CRAWFORD had been uniformly favourable to the poor-law in Ireland; at the same time he agreed with the Irish Members who had spoken, that an inquiry was necessary. Accounts had been received that starvation was going on in Ireland to an immense extent, especially in the north and south of Ireland, and that the poor-law was not sufficient to prevent it. Even the allegation of such a fact was sufficient cause to justify an inquiry why, having a poor-law in existence, such a state of things should be. It was stated that the poor-rates were not paid either by the landlords or the tenants. Now, it was right that it should be inquired into as to who was in fault that the rates were not paid. It was also alleged that new rates were put on without the old ones having been collected. Was that true? The truth ought to be known. It was well known that ejectments were going on just now, and that the tenants were not protected from starvation by the poor-law; that also was a subject proper for inquiry, in order to ascertain whether the poor-law could not be made more effectual. There were, likewise, undoubted proofs that those who were attached to the people, and were eager to give them employment, were prevented from doing so because they were eaten up with taxation. It was right that a Committee should inquire how that evil could be remedied. He was not contending for an alteration of the law to reduce the area of taxation; but he certainly did consider that a scheme should be devised applicable to the case of those landlords who did their duty, which would protect them from being overburdened by those who would not do their duty. He maintained that, until the Legislature created a local responsibility, they never could insure that constant employment of the people would be carried out. Another point of inquiry was as to the dismissal of guardians. It appeared that the guardians of upwards of twenty unions had been dismissed. He believed there was an absolute necessity for that act of the Government. But, admitting that to be the case, still he would ask, was it not a proper subject for inquiry as to what was the cause of those dismissals—whether it arose from the law of last year, or whether it was owing to the mode of electing the guardians? Another question which required investigation was, as to in what way the labour of the paupers could be rendered productive for their own subsistence.

Major BLACKALL wished to guard himself against being supposed to expect any assistance from England for the support of the poor of Ireland. He fully recognised the principle that Ireland should support her own poor; and it was for that reason that he would strongly urge the Government to concede this Committee. He had, as far as it was possible, assisted in carrying out the Irish Poor Law; but he objected to the principle of that law, because it did not encourage the employment of the people, which, at the present moment, was so essentially necessary for their very existence. They had just gone through an unparalleled year of distress; and notwithstanding the enormous outlay of money, drawn from the Exchequer, yet the employment of the people at the end of that year had not been stimulated, but was even less than at the commencement. Both on the ground of justice and of equity, then, he appealed to the Government to grant this inquiry. It was but yesterday evening that Her Majesty's Ministers had given way to a pressure from without, on a matter which affected the people to the extent of a charge of some 2 per cent on their incomes; to-night the Irish Members were making their appeal for an inquiry touching a question that concerned, not merely a charge of 2 per cent, but of 10, 20, ay, and in some instances, even 100 per cent upon their property. It was the unanimous opinion of the Irish Members that there might be some means devised by which support might be afforded to the poor in a manner less onerous upon certain classes of ratepayers. They were not, therefore, asking anything unreasonable of the House when they called for a Committee of Inquiry; and he trusted that in spite of the opposition of the Government, the House would show its sense of justice to Ireland by at least granting an inquiry into evils of which the Irish Members complained. The great mistake of the present poor-law was, that it did not stimulate industry. Under the law as it now existed, the landlord who, out of his own resources, or by the aid of the Exchequer, improved his land by giving employment to the poor, did not thereby exonerate himself from contributing to the tax imposed by the poor-law. In his own case, owing to the operation of the law, by the constitution of the unions, and the system of taxation adopted, to embrace the poor equally throughout the union in which his electoral division was included, he might be charged with contributing to the support of 8,000 paupers instead of 100. Was it not right, then, that an inquiry should be instituted to ascertain whether that principle could be just which subjected him to a taxation for the support of 8,000 instead of 100? He would call the attention of the House for one moment to the different unions and electoral divisions in Ireland with a view of showing that there were no data by which the rate of taxation could be calculated. The union of Downpatrick had twenty-four electoral divisions, with a population of 74,938; while the union of Clifden, in the county of Galway, had only four electoral divisions, with a population of 33,465. It was evident in these two cases that the amount of population did not determine the area of the electoral divisions. The union of Ballina was the largest union in Ireland, and the smallest union was only one-tenth part of its size. It must be allowed, therefore, that the basis of taxation was not founded on any just principle. In the union in which he himself lived there were 8,000 persons receiving relief, of whom 600 were in the workhouse, and the remainder received relief out of doors. Now in one of the electoral divisions of this union, there were 1,048 persons receiving relief, while only 557 persons were rated to the relief of the poor. It was clear, then, that by extending the area of taxation, the stimulus to furnishing people with employment would be taken away. He wished to make it the individual interest of every one to give employment, and to save himself from the taxation of the poor-law. The House would do well to inquire whether in Ireland, where nearly all local burdens fell upon the land, some other kind of property than real property might not be made liable for the support of the poor. He had listened to the speech of the hon. Member for West Surrey; but he thought he had given the strongest reasons in the world for the appointment of a Committee. Had there never been any accusations against boards of guardians, or against commissioners, in England? Had that ever been urged as a reason for avoiding an inquiry? But then the right hon. Gentleman the Secretary of State for the Home Department said that there was no precise Motion brought before the House. He (Major Blackall) was very young in the forms of the House, but he had always thought hitherto that a Motion for a Committee of Inquiry was a precise Motion. [Sir G. GREY had said that there was no definite object stated for which the Committee was to be appointed.] He was, at any rate, of opinion that the Motion of his hon. and gallant Friend (the Member for Portarlington), to inquire into the working and efficiency of the Irish Poor Law, was as precise a Motion as that lately made to inquire into the working of the slave trade. He would ask English Members to consider this not as an Irish question. If they would not grant a Committee to inquire whether the means were efficient by which the pauperism of Ireland was supported by the property of Ireland, they might depend upon it that the pauperism of Ireland would fall back upon this country; and if the Irish landowners lost every farthing that they possessed, the day that the sun of Ireland set would be a day of deep distress to England.

MR. AGLIONBY said, that being one of the English Members referred to by the hon. and gallant Gentleman who had just sat down, he would venture to prefer his application to Her Majesty's Ministers not to refuse this Committee. He made this appeal to the Government as he had always felt a strong interest in the well-being of the people of Ireland.

The MARQUESS of KILDARE thought that great inconvenience would be occasioned if this Committee were granted, by withdrawing from Ireland many persons who were employed there at present; and as he had heard it stated by the Secretary of State for the Home Department that it was the intention of Her Majesty's Government to inquire into the matter, he should give his support to the course recommended by the right hon. Gentleman.

SIR W. SOMERVILLE was the last man in the House to complain of the Motion which his hon. and gallant Friend had thought proper to bring forward. There was no Motion more deserving of consideration, no Motion more affecting the interests of Ireland, and therefore no Motion which more deeply affected the interests of the United Kingdom, than a Motion which proposed inquiry into the working of the Irish poor-law. He would further say that there was no Gentleman in the House who had a greater right to recommend that Motion to its consideration, because he believed that there was no man in the House who had bestowed more attention upon the wants of the poor, or who had shown greater anxiety to alleviate them. He was one of those who were charged by the wisdom of Parliament—not by the act of the Government under whom he had the honour to serve—with the onerous duty of carrying out the provisions of this law; and therefore, before he alluded to the Motion of his hon. and gallant Friend, and to the reasons for which he thought it would not be expedient to accede to the Motion, he hoped he might be permitted te make some observations in reply to those which had been levelled against the parties on whom had been left the weighty charge of administering the provisions of this measure. His hon. and gallant Friend the Member for Donegal (Colonel Conolly) had assailed both the Commissioners and the law. His hon. and gallant Friend complained, first of all, that the Commissioners had insisted on the appointment of relieving officers; and, secondly, that they had prevented the guardians of the poor from carrying out the provisions of the law in so economical a manner as they thought their duty required. Now, with regard to the appointment of relieving officers, he did not think that the Commissioners had any choice whatever. His belief was that the law was imperative on that point. No matter what number of poor there might be in the poorhouses; the law said that the destitute poor should be relieved, and that the relieving officer should be bound to give relief to a destitute person in case of any sudden and urgent necessity. If a poor person traversing the streets of Ballyshannon were to fall down from weakness and exhaustion, and there was no relieving officer, on whom would the responsibility be cast? Why, on the Commissioners, for not having forced and coerced the guardians to administer the law properly. As the Commissioners had been loudly blamed for their conduct in this respect, he thought he was bound to mention the reason why they had carried out the law. The amount of accommodation which the poorhouse might afford was no criterion whatever, when the House was taking into consideration the duties of the relieving officer. But then his hon. and gallant Friend (Colonel Conolly) proceeded to blame the Commissioners for not having carried out the law in an economical spirit. His hon. and gallant Friend complained that the Commissioners forced the guardians to pay extravagantly for the services of its officers. The Commissioners were at issue with the Ballyshannon board on the subject of its officers; and he would now explain in a few words what were the notions of the hon. and gallant Gentleman with regard to extravagance and economy. The Commissioners declared that the salary of the clerk of the union, who was described as a most efficient officer, should be 40*l.* a year; and the guardians refused to pay more than 25*l.* Let the House imagine getting the services of an efficient and excellent officer for 25*l.* Then the Commissioners proposed that the salary of the matron should be 20*l.*—of the schoolmaster 20*l.*—of the schoolmistress 15*l.*—and of the porter 10*l.* The salaries, on the other hand, proposed by the guardians, on which they insisted, and on which they were at issue with the Commissioners, who were charged by his hon. and gallant Friend with having determined upon giving those officers an extravagant remuneration, were for the matron 15*l.*—for the schoolmaster 8*l.*—for the schoolmistress 8*l.*—and for the porter 6*l.* That was an instance of the determination of the Commissioners to force the guardians to carry out the provisions of this law in an extravagant manner; and he would venture to appeal to the House to express its opinion whether it were not impossible, with the scale of salaries laid down by the guardians, that efficient officers could be procured. The hon. Member for Roscommon had alluded, as he had often done in that House, in a tone of severity to Mr. Twisleton. Having had the honour of serving with that gentleman upon the Commission, he would say that he shared the responsibility of his acts, and believed, and was sure, that they had been dictated by a sincere desire to carry out this law, effectually certainly, but without giving offence to any one. The hon. Member for Donegal (Colonel Conolly) had reflected rather severely upon the conduct of the Commissioners in dismissing certain boards of guardians. He should not then take upon himself the defence of the Commissioners with reference to every instance in which they had thought themselves called upon to exercise that most disagreeable power; he should simply ask the House to read the papers with regard to each case, and then form their opinion. The conduct of the Commissioners in this respect had been censured by some as too hasty, and by the hon. Member for Stroud as too tardy: between the two they must meet with blame; and he (Sir W. Somerville) could only say that he believed in this as in every other particular, they had endeavoured to perform their duty conscientiously, and with a sincere desire to carry out the poor-law in the best manner they could. That portion of their duty was most painful, imposing upon them the necessity of dismissing gentlemen, many of whom had endeavoured to do their duty as conscientiously as the Commissioners; but it had been felt necessary, and hon. Gentlemen connected with Ireland should not be eager to pass upon them a harsh sentence with regard to their conduct in that respect. A few words now with reference to the present Motion. Far be it from him to say that the Irish poor-law, as at present constituted, was perfect; he had always thought and said, when the Act of last Session was passing through the House, that additional Committees, and inquiries, and Bills, perhaps, would be necessary before that law would be brought to a perfect and efficient state; but he was very anxious that the House should not enter upon an inquiry into the working of the law until they had before them really the materials for so doing. They were asked to institute an inquiry into a law which absolutely was not yet in force; they did not know at present in what number of unions outdoor relief might be put in force; while the proposed Committee should be sitting, the law might be changed in most important points. One of the principal motives for the Motion was the desire to reduce the area of taxation; while the Committee would be sitting, the Commission of which the House had heard, would be carrying out its operations; and supposing that the manner in which they performed their duties should not be satisfactory to many hon. Gentlemen, a Committee might be requisite to inquire into that, and into the effect of their subdivision of the unions. The Committee now proposed would have to enter upon their duty blindfold, and without sufficient knowledge of what they were going to do. With regard to the proposed Commission, let it be remarked, that it never was intended that it should not have any power as to reducing the area of taxation: nothing could be more reasonable than that such a power should be delegated, and various reasons might be adduced why it might be necessary so to reduce the area. The electoral divisions in the north of Ireland were considerably smaller than in the west and south; that of itself was a reason of inquiry. He (Sir W. Somerville) did not charge any hon. Gentleman with an intention to suggest a townland division; the hon. Mover had said indeed that that could not be beneficially carried into effect. He (Sir W. Somerville) was of opinion that a great change might be made in the boundaries of the unions and divisions with very great effect. Perhaps the natural features and boundaries had not been sufficiently considered. Perhaps some of the districts were too large, perhaps some of them in connexion with the towns were too small; and all that the right hon. Baronet (Sir G. Grey) said was, that it would be inexpedient to fetter that Commission by a provision that their duty was to be simply the consideration of the propriety of reducing the area of taxation. That question was a very grave one; and we must take care that, in our efforts to stimulate employment, we do not diminish the stimulus to labour; and that in reducing the area of taxation, we do not impose upon the poverty of the district the duty of supporting the poverty of the district, relieve the great proprietors of the duty of supporting the poor, and hold out an inducement to clearances and extermination. Was it really so, that no gentleman was to be answerable for any poor except those located upon his property? ["No, no!"] Well, but such considerations were elements entering into the question; upon the property of many gentlemen there was scarcely any pauperism; their estates were cultivated by labourers from contiguous districts; was it meant that the proprietors of those unburdened domains should not be made responsible for any pauperism non-resident upon those estates? ["No!"] The hon. Member for Longford wished to impose upon the townlands the support of their own ablebodied pauperism there resident; the effect of that would be entirely to relieve great proprietors from the support of the poor. He (Sir W. Somerville) was not saying that there should not be a reduction of the areas of taxation: far from it; he only meant to say that it was a question not so easily settled as some hon. Gentlemen seemed to think, but one worthy of the greatest consideration. It was true that the Commissioners had the power of dividing the unions; but it was quite clear that extensive changes could not be made without a considerable shifting of the burden of the rates, and it was impossible for a body constituted like the Commissioners to undertake so responsible a duty. Motives would be imputed to them: in the solitary instance in which they had lately undertaken this task in the county of Carlow, which seemed to the Commissioners to be as clear a case for subdivision as well could be brought forward, they were immediately charged with being actuated by unfair motives in shifting a burden from one proprietor to another. The duty of subdivision could not be performed by the Commissioners without, one might say, great loss of character. With regard to the appointment of a Committee, he had already said that he did not think matters were sufficiently ripe for it. It was very disagreeable to him to find himself opposed to what he clearly saw to be the opinion of a large majority of the representatives of his fellow-countrymen; but he hoped they would believe that he was abiding by what he conscientiously believed to be for the good of Ireland. The events of the next three months would introduce a new state of things, and before a very long time another Committee of Inquiry would be called for if this were granted. It was not known at present what was the expense of outdoor relief in Ireland, nor should he like to give a proximate guess, lest he should mislead, his data not being sufficiently precise. Let not the House proceed to take any step without sufficient grounds. The events of the last two years had produced much disorganisation, almost a chaos, in Ireland; a social superstructure had to be raised, and it must be raised on the comforts and well-being of the poor. It was solely by an efficient and well-considered poor-law that that object could be effected. A false step now might be fatal. We might build a foundation of sand, or we might now build upon a rock. In the conviction that the social misery of Ireland had been brought about by a long course of legislation which had not sufficiently considered the rights and the wants of the poor, he would entreat the House to be careful how they proceeded. If they believed sufficient information was before them to enable them to judge what the effect of this law had been, and still more, what it was likely to be, let them agree to the Motion; if, with himself, they thought otherwise, let them refuse it.

Mr. W. SMITH O'BRIEN called the attention of Irish Members to the fact that the Government had announced their determination to resist the nearly unanimous desire of the representatives from Ireland. The Irish nation spoke through its representatives; but the opinion of that nation was to be superseded by an English majority. The Irish Members were willing to go into the Committee, fairly, and not with a view to defeat the poor-law. They found a very great number of the poor alleged to be dying of actual starvation; what stronger motive could they have for inquiry? He considered that the House ought to endeavour to ascertain whether it was not possible to enact some law to enforce the right of relief, which Parliament had declared to belong to the destitute poor of Ireland. His opinion with regard to the area of taxation had been modified, to a certain extent, since the law which prevented outdoor relief from being afforded had been repealed. He considered that, as relief was now extended to the ablebodied poor, some stimulus ought to be given to the possessors of property to afford employment to those who were in need of it, and that persons who would not give such employment should be subjected to the penalty of increased taxation. It was, in his opinion, most advisable that they should, as nearly as possible, maintain an uniform proportion between pauperism and property. There was one important subject which ought to engage the attention of the Committee for which the hon. and gallant Member had moved—whether it was not possible to employ very many of the ablebodied poor who were now receiving relief in profitable and reproductive labour. He conceived that, in Kerry, Mayo, and other counties, they might be advantageously employed in the cultivation of waste lands. There was at present no efficient means of providing industrial employment for the children brought up in the workhouses of Ireland; and he thought the Committee might devise some efficient plan for instructing such children in branches of industry which might fit them to become useful members of society. It was a matter of very general complaint in Ireland that the whole burden of taxation for the relief of the poor fell exclusively on one class, the owners and occupiers of land. Now, without calling upon this country to provide funds to relieve the distress of the Irish people, he might ask the House to consider whether it was just to impose upon one section of society in Ireland a burden which should be common to all? He did not see why the mortgagees, who received a large portion of the rents of Ireland, should not contribute to the poor-rates. He also thought that a distinction ought to be made, with regard to those rates, between residents and non-residents; and that it was a question for consideration whether the fundholders and officeholders should not be required to afford some contributions for the support of the poor who were now suffering from famine and disease. The practical operation of the quarter-acre clause of the Poor Law Act, and the inequality of the valuation, would also, in his opinion, form proper subjects for the consideration of the Committee. The question as to the removal of the Irish poor from England to Ireland ought also to engage the attention of the Committee. Any one who was in the habit of visiting the seaports of Ireland must be aware that the greatest possible hardship arose from the power of removal which at present existed. In some instances, persons who had lived in this country thirty or forty years, and who had spent their best days here, had been removed in very considerable numbers to parts of Ireland with which they had no connexion whatever, and which were thus burdened with their support. He considered that one of the most important subjects of inquiry before the Committee for which the hon. and gallant Member for Portarlington had moved would be the actual administration of the Irish poor-law by those Commissioners who, it had been said, could not be spared to give evidence before a Committee of the House. He, however, could not believe that the absence of one of those functionaries from his duties, for such a purpose, for twenty-four hours, could occasion any practical inconvenience. On these grounds, he should vote for the appointment of the Committee.

Mr. CLEMENTS expressed his regret at the speech of the right hon. Secretary for Ireland, and said he had hoped that the resolution which had been unanimously adopted by seventy-five Irish Members, of whom he was one, praying the Government to reconsider the subject of rating, would have led to the adoption of some steps for the revision of the present system. The unions and electoral divisions of Ireland were three times the size of the unions and parishes of this country, and, from the small and disproportionate number of relieving officers, it was impossible to get through the business efficiently. He considered that the first object of Her Majesty's Government ought to be to make some arrangement which would enable them to dismiss the paid guardians as soon as possible, and to revert to the system of elected boards. He believed that, with the exception of the right hon. Gentleman the Secretary for the Home Department, and the right hon. Gentleman the Secretary for Ireland, every Member who had addressed the House that night had been favourable to the appointment of the Committee. He hoped that the House would show its regard for the interests of Ireland in this matter, by agreeing to the Motion for a Committee proposed by the hon. Gentleman the Member for Portarlington.

Mr. LABOUCHERE would not pretend to affirm that the poor-law in Ireland had not had a sufficient trial to enable them to judge of its operation; nor did he say that it might not be made a fitting subject of inquiry by a Committee of that House at the proper time; but at present such a proceeding could not but be injurious to the working of the measure. They had been assured by the Secretary for Ireland that the law had not yet come fairly into operation in some parts of that country; and he had no hesitation in saying that the appointment of the Committee now proposed would have the effect of paralysing the efforts of those who were energetically endeavouring to carry out its provisions. He could not help thinking that the intention of the greater number of those who supported the Motion was to raise again the question of the area of taxation, which was so largely discussed and disposed of last Session. Certainly the effect of the Motion would be to raise in the minds of the people of Ireland uncertainty upon this subject; and that was a result which they ought to be careful of producing. He was aware that this was a question on which the public mind in Ireland was very generally set. He was quite aware that there was a strong feeling on the part of the Irish proprietors that the areas of taxation ought to be greatly reduced; and though the principle of townland division seemed to have been abandoned that night, yet the principle on which it was generally contended the area of taxation should rest was, that it should be as much as possible made commensurate with private estates. Now, he believed that the area of taxation ought not to be larger than was consistent with the possibility of combination among the inhabitants for a common object; but at the same time the basis of taxation should not be limited to the extent of private property. The principle of supporting the poor on individual properties was the old feudal practice; but it was a system in every respect inferior to the mode of taxing communities. He admitted that there might be a subdivision in cases where districts were too large in some parts of Ireland, and he had no doubt the Commission would turn its attention to that point; but that was a course very different from what was contemplated by the supporters of this Motion. He believed that, generally speaking, the area of the electoral districts in Ireland might be about 8,000 or 9,000 acres, and that was surely not too large to admit of proprietors meeting together for a common object. He thought that the adoption of a small area of taxation would be a direct premium on the clearance system, and would have a tendency to drive the people from large estates into adjoining townships. He did not deny that at the proper time a Committee such as was now proposed might be advantageously appointed; but in the meantime he trusted that the proposal would not be acceded to by the House.

The Earl of LINCOLN had most reluctantly come to the conclusion that it was his duty to vote with Government, and against what appeared to be the unanimous opinion of the Irish Members; and, therefore, he begged to say a few words in explanation of his vote. He was bound to say that the Irish Members had some ground of complaint with the Government, inasmuch as, on a subject of such vital importance to the country as the question of the area of taxation, not only had each successive Member of the Government who had spoken differed materially as to what were the objects of the Commission, but one of the right hon. Gentlemen, who had just sat down, had, in the course of his speech, at least once contradicted himself, and had left the House in utter ignorance as to what was really to be the duty of this Commission. He should support the Government most reluctantly, but on grounds totally irrespective of the question in regard to the area of taxation. If he could believe that the objects which the hon. Gentleman who moved for the Committee had in view were likely to be attained in the way supposed, he would be one of the first to vote for it. But he believed the result, should such a Committee be appointed, would be to aggravate the difficulties in the working of the poor-law; and merely to place on the table at the close of the Session a large blue book containing a mass of evidence on which it would be impossible to found any amendment whatever. The House ought not to forget that the law had barely come into operation—that in many parts of the country it was not yet in operation—and that in other parts it was in operation under a system which the House would wish to see superseded as soon as practicable, that of an administration by guardians appointed by the Poor Law Commission, instead of the ratepayers. The appointment of this Committee would not hasten the day when that system might be done away with. His objection to the Committee rested on the consideration that of the fifteen Gentlemen to be appointed, most of them would probably be connected with Ireland, some representing paid boards of guardians; others, boards about to be suspended; others, boards not sufficiently in operation. There would be every variety of opinion arising out of the incomplete mode in which the law was at present administered; and the result, he repeated, would be the production of a mass of evidence which would confuse rather than assist the House. The real question raised seemed to be, whether it was desirable to alter the present area of taxation. The Government proposed to deal with that question by means of a Commission. A Committee could not satisfactorily investigate all the circumstances in regard to unions, still less in regard to electoral divisions. The House had been so confused with information given by Members of the Government on the duties of the Commission, that he hoped some of them would yet state what those duties were to be, that the House might know what they were to do, and what they were not to do—if they were to inquire whether a longitudinal or rotund form was the most suitable for a union. He did not concur with the right hon. Gentleman in thinking that the measure lurking in the minds of many Gentlemen who supported the Motion, was a recurrence to townland taxation. Last year that system had been advocated with reference, not to the poor-law, but to temporary relief, which it was thought would be conducted more economically and efficiently under the townland than under the electoral division system. He hoped and believed the Irish Members did not desire any such minute division. He might also suggest whether they would not more effectually gain their object by withdrawing the present Motion, and waiting till they should see what were the results of the proposed Commission.

Sir G. GREY observed, that inquiry had been made as to the objects of the Commission. Not long ago several Irish Members had requested an interview with him in order to state their desire for inquiry into the limits of unions with reference to the principle of reducing the areas of taxation. He replied that the Lord Lieutenant had suggested a Commission, but that it seemed better to postpone any interview till the Lord Lieutenant had communicated his views as to the form in which the inquiry should be made. He had afterwards stated to the hon. Member for Clare and others what course it was intended to take; but the Government did object to insert in the terms of the Commission that the Commissioners should proceed on the principle of area taxation. The Commission would be appointed to inquire and report what alterations ought to be made in the boundaries of unions and electoral divisions, regard being had as important elements to the extent, population, and valuation of the unions.

Mr. WAKLEY thought that if there was a case in reference to which the House ought to grant a Committee, it was that under discussion. He was not one who complained of the conduct of the Government with regard to the Irish poor-law. He thought great credit was due to them for the way in which they acted towards the poor of Ireland; but when such statements were made as had been made that night, and when the extraordinary and striking phenomenon was observable of all the Irish Members agreeing, it was treating them as a body with very great disrespect for the Government to refuse such a Motion as the present. The statements which had been made that night with respect to the operation of the Irish poor-law were most extraordinary and astounding; and it was impossible for the House to hear such statements and not institute an inquiry. One hon. Gentleman said, thousands of Irish poor were starving; and the hon. Secretary for Ireland alleged that the law was not enforced. Then why not? Was it not scandalous that such statements should be made, and no inquiry instituted? The House had heard of the extraordinary extent of the Irish unions. He understood that some of them were forty miles in length. ["More."] He understood now that some were forty-six miles long—more than sixty English miles in length. Why were such unions, in which poor persons had to go thirty miles for relief, and thirty miles back, allowed to exist? That matter demanded inquiry. The workhouse was the test of destitution; it was invented for that object, and it was not made a place of comfort, but one of discomfort and inconvenience. That was the case in England. ["No, no!"] It was confessed and known, and would not be denied by persons in authority, and by those who at first established the New Poor Law. Now, as the poor people of Ireland lived on the lowest diet, the guardians in that country, in order to make the workhouse the test of destitution, endeavoured to find out something worse than the worst food. ["No!"] He had the authority of the hon. Member for Cork for saying that the guardians, in some instances, had sought out a worse food than the ordinary food of the poor, in order to test the destitution of parties before their admission to the workhouse.

The Earl of LINCOLN said, that he had visited, within the last twelve months, the Cork union workhouse; and he wished any poor man out of the workhouse was able to get food half as good as the poor in it. He could pledge his word of honour that the bread given to the paupers was as fine and as good as that placed on any gentleman's table.

Mr. WAKLEY continued: It was not the Cork union that was mentioned, but the circumstance was mentioned by the hon. Member for Cork. ["Oh!"] Hon. Members seemed to be offended at his allusion to the low diet in the union workhouses in Ireland; but suppose he was to tell them that an ablebodied man might be in an Irish workhouse for a week, or for weeks, without being allowed one ounce of animal food, would they say that that was treatment for human beings? He thought the whole subject of such importance, that, in his opinion, the Committee ought to be granted, and the inquiry, instead of being narrowed, should be made as extensive as possible.

Mr. C. BULLER did not at first think it would be necessary for him to trouble the House with any observations whatever; and he should now merely advert to what fell from the hon. Member for Finsbury for the purpose of showing his inaccuracy with regard to the Irish poor-law, when he sought to compare it with the English poor-law, in the character and operation of both. The hon. Member for Finsbury contended it was an intolerable abuse that the paupers in Ireland were put upon a much worse diet, and dealt out much coarser food than was given to the poor in England. He ventured to hope that every English Gentleman in the House must know the worth of that illustration. It never had been the policy of those who were entrusted with the administration of the poor-law in this country to deter the poor from entering into the workhouses by putting them on bad food, or even on worse food than they had been previously accustomed to. He had the pleasure of reading more dietary tables than perhaps any other Member of that House; and with a full knowledge of the general character of those dietaries he and those with whom he had the honour to co-operate were standing out for four meat dinners in the week. When he heard the hon. Member for Finsbury address the House, he could not but admire the quickness of imagination and ready power of acquiring information which he manifested when hon. Members near that Gentleman supplied him with facts and arguments on the question now before the House. The hon. Member spoke as he was prompted, because he seemed scarcely to have had time to read his brief.

They had heard something of the hon. Member's profession; but he believed there was a mistake about it, for that hon. Member was much more like a lawyer than like a medical man; they all heard the promptings going on, and they could scarcely fail to estimate at its just value the appalling statement which the hon. Member for Finsbury had been induced to make. He doubted not they were much amused when he began by talking of a union thirty-six miles in length, which afterwards swelled out to sixty. The hon. Member showed great quickness of apprehension; but it would be infinitely better if, when taking his share in an Irish debate, he took some trouble about ascertaining and sifting facts. He really did think it would be much better if Gentlemen would take the pains to inquire and investigate before they came forward in that House to make the dreadful statements which had that night been heard. Possibly it would not have been amiss if the hon. Member had inquired from his neighbours in that House whether the Irish peasant living out of the workhouse ever was, under the most favourable circumstances, able to provide himself with better food than might be obtained in the workhouse. The taunts which they had just heard came with little grace or consistency from the hon. Member, when they remembered the manner in which that hon. Member pressed the Government to defer to public opinion. Were they prepared to take his advice, when he told them to hark back because they had seen the error of their ways? He wanted to be informed whether or not the House of Commons had seen the error of their ways? Were they prepared to hark back on the measure by which the English poor-law had been extended to Ireland? No one could doubt that the success of the present Motion would be felt as a certain amount of blame cast upon the Bill that had been passed last year. Was it to be done simply on account of the supposed unanimity subsisting amongst the Irish Members? No doubt, on some questions and classes of questions the Irish Members were wonderfully unanimous; but was the hon. Member for Finsbury prepared to act throughout the Session on the unanimity of the Irish Members, and vote with them upon every occasion when they were unanimous? If so, he would give them the full benefit of his support on a proposition for extending the income-tax to Ireland. If that question came under consideration, there would probably be unanimity amongst the Irish Members; and doubtless the hon. Member for Finsbury must, in all consistency, press upon the House the necessity of deferring to the opinions of the Irish Members. He should now take the liberty of putting the question on which they were to decide in a few sentences. The present was not really a question of inquiry into any particular fact or class of facts—it was not a proposed investigation of any particular part of the Irish poor-law—it was not instituted with a view to the remedy of any individual abuse; it was an inquiry into the working and efficiency of the poor-law in Ireland. It was a proposition putting the whole poor-law in issue, and it could not be regarded as anything else. The supporters of the present Motion said, that the defects and imperfections of the Irish poor-law were notorious. If they were so notorious and palpable, then why did not those Gentlemen propose their own remedy? He wished to put this question to the House, how would the people of England and Ireland understand the present proposition for a Committee of Inquiry? During the inquiry before a Committee, the law would be paralysed. An hon. Member had just said it was not so with the English poor-law: no instance could be more unfortunate. The Irish poor-law had only been passed last Session—it had not been more than one year in operation; and now an inquiry was to be instituted as to whether it was to be continued in operation or not. They could not expect the whole of the present debate to be read by the public. It unfortunately happened that people had not always the good taste to read all the speeches that were made in Parliament; but they would read the two lines at the end of the debate in which the terms of the Motion were stated, and from these they would understand that the whole question of the Irish poor-law was under agitation. He would ask, had the Government refused to apply remedies or to institute inquiries? Those who were appointed to carry the measure into effect, would inquire into details while they were proceeding with the discharge of the functions which the Legislature intrusted to them. An inquiry of that nature would not be misunderstood, while such an investigation as would be instituted under the present Motion would be exceedingly liable to misconstruction. However plausible it might be for hon. Members to say that they wanted nothing but inquiry, he would venture to suggest that the business of inquiry ought to be left to those who were entrusted with the carrying out of the measure. He conceived that the House should do nothing calculated to inspire the people of Ireland with any suspicion as to the permanency and stability of the poor-law in Ireland.

MR. GROGAN hoped the House would not be led astray by the talents and ability which the right hon. Gentleman had displayed in the speech just delivered to the House. The right hon. Gentleman had made an able defence, and had given a happy turn to the remarks of the hon. Member for Finsbury; but, had he been in the House during the debate—had he heard the expression of the views of the Irish Members who had joined in the requisition to Government, praying for an investigation into the whole subject—and had he been present when the Government proposal of issuing a Commission was explained to the House—he doubted if they would have been favoured with the right hon. Gentleman's remarks at all. This was primarily and essentially an Irish question. With the exception of two Members, who dissented from their brethren, the Irish Members had all called for a Committee of Inquiry; and he felt confident that the feeling was as strong and general and unanimous in Ireland in favour of the inquiry as among their representatives. But, though it was primarily and essentially an Irish question, they relied upon the support of English Members for enabling them to carry the Motion; for England was interested in it as well as Ireland. That country was getting poorer and poorer; and, if they did not apply a remedy to the existing state of things, the whole of Ireland would soon be pauperised, and then it would fall to England to consider what should be done with it. To avoid this state of things, the Irish Members asked for an investigation into the subject, and he considered it of vital importance to both countries that it should be granted.

COLONEL DUNNE, in reply, remarked, that he felt indebted, not only to those who had spoken in favour of his Motion, but to those who had spoken against it; for he thought that a more complete case had not been made out by the former than by the latter, who had argued, not against what he had said, but what they had expected he would have said. The hon. Member for Surrey had quite misapprehended him when he thought that he had found fault with the English Poor Law. He had not even found fault with the Irish Poor Law. What he wanted was an inquiry into its working and efficiency. Neither had he argued in favour of a townland area of taxation, which had been brought forward as a means of frightening them. It was said, too, that this was not a time to change the law; but he thought it was just the time to change it, if it should be found to require change. He had heard with great regret the argument of the noble Marquess the Member for Kildare, that the Poor Law Commissioners could not be spared from Ireland for a few days, and that that should be weighed against the welfare of that country. He trusted that this Committee would be granted. If they wished to save Ireland from destruction, and to make it profitable to the State, and peaceable, the House would not reject his appeal; and he was sure that when the division was taken only two Irish Members would be found voting against it.

MR. WALTER assured the House that he did not rise for the purpose of detaining hon. Members by any observations on the Irish Poor Law, with which he was imperfectly acquainted; but he could not resist that opportunity of congratulating the Government upon the fortunate appointment they had made in selecting as the President of the Poor Law Commission a Gentleman who had had the extraordinary boldness to assert, that it "never was the object of the New Poor Law to offer to the poor in the workhouses of this country a worse diet than they would obtain out of them." He would say nothing of that famous document exhibited in the House some few years ago, which was drawn up as a sort feeler, with a view of ascertaining to what degree, short of starvation, it would be possible to reduce the diet of the poor of this country; but he would ask the right hon. Gentleman the Member for Liskeard whether he had forgetten to what circumstances he owed the situation which he now filled? Had that right hon. Gentleman forgotten that it was to the disclosures that were made before the Andover Union Committee, in which it was proved that the poor of that union were reduced to such an intolerable diet, that they were compelled to gnaw raw bones; and could the right hon. Gentleman have the assurance, after that, to say, that it never was the object of the poor-law to give to the poor a worse diet in the workhouse than they would obtain out of it? He was rejoiced to hear the right hon. Gentleman announce that he had been employed since the period he had accepted his present office in endeavouring to improve the diet of the workhouses, and to give the poor four days meat dinners in a week. This did not, however, affect the merits of the original question; and he should have been wanting in his duty to constituents, and to the respect which he owed to the memory of that individual who, whilst he lived, was the most determined opponent of this law, had he not risen in his place to express his astonishment at the assertion the right hon. Gentleman had made.

The House divided:—Ayes 101: Noes 165; Majority 64.

List of the AYES.

Adair, H. E.
Adair, R. A. S.
Adare, Visct.
Aglionby, H. A.
Alexander, N.
Anstey, T. C.
Archdall, Capt. M.
Bateson, T.
Blackall, S. W.
Blake, M. J.
Bourke, R. S.
Boyd, J.
Bremridge, R.
Brooke, Sir A. B.
Bunbury, E. H.
Burke, Sir T. J.
Burroughes, H. N.
Callaghan, D.
Carter, J. B.
Chichester, Lord J. L.
Clements, hon. C. S.
Clive, H. B.
Cole, hon. H. A.
Conolly, Col.
Corbally, M. E.
Crawford, W. S.
Dawson, hon. T. V.
Deering, J.
Devereux, J. T.
Dod, J. W.
Duncuft, J.
Fagan, W.
Ferguson, Sir R. A.
Ffolliott, J.
Fitzpatrick, rt. hn. J. W.
Fitzwilliam, hon. G. W.
Forbes, W.
Fortescue, C.
Fox, R. M.
French, F.
Gore, W. R. O.
Grace, O. D. J.
Greenall, G.
Greene, J.
Grogan, E.
Gwyn, H.
Hall, Sir B.
Hamilton, G. A.
Hamilton, J. H.
Hayes, Sir E.
Heald, J.
Henley, J. W.
Herbert, H. A.
Hood, Sir A.
Hume, J.
Keogh, W.
Ker, R.
Lawless, hon. C.
Macnamara, Major
M'Naughten, Sir E.
Maher, N. V.
Meagher, T.
Mahon, The O'Gorman
Maxwell, hon. J. P.
Meux, Sir H.
Monsell, W.
Moore, G. H.
Mowatt, F.
Muntz, G. F.
Napier, J.
Newdegate, C. N.
Newry and Morne, Visct.
Nugent, Sir P.
O'Brien, Sir L.
O'Brien, T.
O'Brien, W. S.
O'Connell, M. J.
O'Connor, F.
Osborne, R.
Pechell, Capt.
Power, Dr.
Reynolds, J.
Rufford, F.
Sadlier, J.
St. George, C.
Scholefield, W.
Scully, F.
Spooner, R.
Stafford, A.
Stuart, Lord D.
Sullivan, M.
Talbot, J. H.
Tenison, E. K.
Thompson, Col.
Wakley, T.
Walsh, Sir J. B.
Walter, J.
Watkins, Col. L.
Williams, J.
Willoughby, Sir H.
Yorke, H. G. R.

TELLERS.

Dunne, Col.
O'Flaherty, A.

List of the NOES.

Abdy, T. N.
Acland, Sir T. D.
Alcock, T.
Anderson, A.
Anson, hon. Col.
Anson, Visct.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Baines, M. T.
Baldock, E. H.
Barnard, E. G.
Barrington, Visct.
Bellew, R. M.
Berkeley, hon. Capt.
Birch, Sir T. B.
Blackstone, W. S.
Boldero, H. G.
Boyle, hon. Col.
Brand, T.
Bright, J.
Briscoe, M.
Brotherton, J.
Brown, W.
Buller, Sir J. Y.
Buller, C.
Campbell, hon. W. F.
Castlereagh, Visct.
Cavendish, hon. C. C.
Cavendish, W. G.
Cayley, E. S.
Chaplin, W. J.
Charteris, hon. F.
Christopher, R. A.
Christy, S.
Cobbold, J. C.
Colebrooke, Sir T. E.
Coles, H. B.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Currie, H.
Dalrymple, Capt.
Davie, Sir H. R. F.
Deedes, W.
Denison, J. E.
Drummond, H.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Edwards, H.
Elliot, hon. J. E.
Evans, W.
Fergus, J.
Fordyce, A. D.
Forster, M.
Fortescue, hon. J. W.
Galway, Visct.
Glyn, G. C.
Godson, R.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Harris, hon. Capt.
Hastie, A.
Hastie, A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcoat, J.
Heathcote, G. J.
Heneage, G. H. W.
Henry, A.
Heywood, J.
Hindley, C.
Hope, H. T.
Howard, hon. C. W. G.
Inglis, Sir R. H.
Jervis, Sir J.
Jervis, J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Lacelles, hon. W. S.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Mackenzie, W. F.
M'Gregor, J.
Mahon, Visct.
Maitland, T.
Marshall, J. G.
Martin, J.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Miles, W.
Mitchell, T. A.
Moffatt, G.
Morgan, O.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Neeld, J.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Parker, J.
Perfect, R.
Peto, S. M.
Pigott, F.
Pilkington, J.
Pinney, W.
Price, Sir R.
Pugh, D.
Pusey, P.
Raphael, A.
Renton, J. C.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Scrope, G. P.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Simeon, J.

Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, J. B.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stanley, hon. E. J.
Stanton, W. H.
Strutt, rt. hon. E.
Stuart, H.
Thicknesse, R. A.
Thornely, T.
Trelawny, J. S.
Tynte, Col. C. J. K.
Verney, Sir H.
Vesey, hon. T.
Villiers, hon. C.
Vivian, J. E.
Walmsley, Sir J.
Ward, H. G.
Wawn, J. T.
Wilcox, B. M'G.
Wilson, M.
Wood, rt. hon. Sir C.
Wortley, rt. hon. S.
Wyvill, M.

TELLERS.

Tufnell, Mr.
Hill, Lord M.

LAW OF LANDLORD AND TENANT.

Mr. NEWDEGATE moved for a Select Committee—

> "To inquire into the law and custom of different parts of the United Kingdom between outgoing and incoming tenants, and also between landlord and tenant, in reference to unexhausted improvements or deteriorations of land or premises occupied for agricultural purposes."

It would give real pain to him if it should be thought that he desired to forestal or interfere with the Bill of the hon. Member for Berks (the Agricultural Tenant Right Bill). He was quite certain that the House could not safely proceed to the discussion of this important question without appointing a Committee to obtain information; and he hoped for the assistance of the hon. Member for Berkshire upon the Committee. This question had now for several years been agitated and discussed by the agricultural tenantry of the country, and had led to much controversy and much mis-statement, and he was quite certain that it was most unwise to leave the question in the state in which it was. He had not the slightest intention of infringing the rights of property or contracts between men and men. He was aware of the unanimity which subsisted between landlords and tenants, and that they were rather to be considered as copartners. At the same time he had seen particular cases of hardship arising from the agreement between the landlord and tenant being undefined in some cases, and in others from the impossibility of carrying out compulsory provisions, and both parties were injured. He hoped Her Majesty's Government would not refuse to sanction the consideration of this great subject before a Committee.

Motion agreed to.

House adjourned at half-past Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, March 1, 1848.

Minutes.] Public Bills.—2° Poor Removal.

Petitions Presented. By Lord A. Hervey, from the Borough of Brighthelmstone, and Mr. O. Morgan, from York, against the Jewish Disabilities Bill.—By Mr. W. Heneage, from Devizes, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Colonel Tynte, from Bridgewater, against the Roman Catholic Relief Bill.—By Lord Rendlesham, and other Hon. Members, from various Places, against the Continuance of the Property Tax.—By Mr. Foley, from the Pershore Temperance Society, for Sanitary Regulations.—From Inhabitants of Bridgewater, for Discontinuing Interment in Towns.—By Mr. F. O'Connor, from Members and Friends of the National Land Company, for Alteration of the Law affecting that Company.—By Mr. Bouverie, from Kilmarnock, for Retrenchment of the Naval and Military Expenditure.—By Colonel Tyne, from Bridgewater, for Abolition of the Punishment of Death.

TREATY OF ADRIANOPLE—CHARGES AGAINST VISCOUNT PALMERSTON.

The Order of the Day for resuming the Adjourned Debate on Mr. Anstey's Motion for an Address for Papers relating to the Treaty of Adrianople was read.

Viscount PALMERSTON: Although I shall be a little out of order, I trust that I may be allowed to answer a question that has not been put, but the purport of which has been conveyed to me by my hon. Friend who has just resumed his seat (Mr. Wakley). He wished to ask whether any information had reached Her Majesty's Government of any personal violence having been offered to any British subject in Paris during the late disturbances. I am happy to inform my hon. Friend and the House, that I have no reason to believe that any such occurrence has taken place. I believe that the British subjects at Paris have acted with that prudence and discretion which becomes strangers in a country where disturbance is going on, and that they have abstained from taking any part in the recent occurrences, and have not foolishly and wantonly mixed themselves up in them. Now, in proceeding to continue the statement which I was interrupted by the necessary adjournment of the House in making the other day, I really feel that I have some apology to make to the House for detaining them with transactions that occurred twenty years ago, at a moment when the public attention is engrossed by matters of the most overpowering importance, and of the most overwhelming interest, succeeding each other with unexampled rapidity, and which, for the moment at least, must throw into the shade all the interest of those long gone by and frequently discussed matters. I have also on my own part to solicit some indulgence from the House, in times like these, when the proper person or corporate body to appoint for such authority as has been imposed upon me, would be the Siamese twins—the one to write all that has to be written, and the other to hear all that he has to hear, and to say all that has to be said. Since this Motion has been brought forward, and especially during the last week, I really have not had the time that I should wish to devote to methodise and arrange the whole of the matters referred to by the hon. and learned Gentleman (Mr. Anstie) in his speech. I trust, therefore, that any want of arrangement on my part, which is a necessary consequence, perhaps, of the want of arrangement on his part, may be pardoned by the House, who otherwise should not be disposed to excuse such deficiency on the part of those who have any matter to submit to its consideration. The hon. and learned Gentleman skipped about from transaction to transaction, and jumbled the various matters adverted to in his notice in such a manner, that the topics of his speech might be likened to the confused mass of luggage brought to the Custom-house by some of the continental steamboats, when no man knows where he is to find his own. Now, the subjects which the notice of the hon. and learned Gentleman includes, are 40 in number; they have been already the subject of 139 discussions in Parliament, while the correspondence relative to them is contained in no less than 2,775 folio volumes of office papers. Under these circumstances, the House will readily suppose that I must trust mainly to my recollection in the statements which I shall feel it to be my duty to make them, and that neither in the last week, nor indeed at any time since this notice has been given, has it been in my power to go through, with that minuteness which would be necessary, the multiplied transactions to which the notice relates. I remember a friend of mine mentioning to me the circumstances connected with an accident to a naval officer who was nearly drowned, and afterwards recovered by the ordinary mode of treatment. At the moment of drowning, all the events of his past life rushed hurriedly to his recollection. Now, though I have been much threatened and attacked by the hon. and learned Gentleman, I have not been anything like so nearly swamped by him as that all the events of my official life should crowd at one moment to my mental vision. I trust, however, that my memory on all those matters is sufficient to enable me to give to the House such information as will be satisfactory to them. I believe that the best method for me to pursue, will be to take the topics in the order in which they stand on the Notice Paper. The first of these topics is the Treaty of Adrianople, which appears, in fact, to be the main question to be discussed by the House. With regard to this and all the other topics, I would say that papers concerning them had been laid at the time before Parliament, containing such a statement of the transactions as appeared to the Government, spontaneously or at the call of Parliament, sufficient to explain the transactions which had taken place. The hon. and learned Member calls in the first resolution for secret papers, of which there are very few; but I may state that with regard to the correspondence generally of Governments, the practice is this —and, I may add, that practice I have invariably followed—the practice and the duty of a Government when diplomatic transactions occur which it is desirable that the House and the country should become acquainted with—the practice is, to lay before Parliament such portions of the diplomatic transactions that have taken place as will convey to Parliament a true and faithful knowledge of all the main and important circumstances that occurred. But it is not the duty of the Government—but, on the contrary, it would be a breach of that duty if it did so—to lay before Parliament such portions of that correspondence as contained mere opinions and confidential communications made by the Foreign Minister to our agents abroad concerning other matters, and the publication of which would be injurious to the public service, and would have the effect of defeating the object which Parliament and the Goverment ought to have in view. The Minister at a foreign Court is bound to tell his Government everything he hears, every thing he thinks, everything that is stated to him whether in confidence or not, by the Government with whom he is accredited; and it is manifest that there must be in his despatches a number of communications of various kinds, which, if published, would at once deprive that Minister of all future access to such confidential communications as are essential to the public interest to have made. And I will venture to say that any man who has been at all concerned in these matters, either in the Government or in diplomacy, will at once see that if the rule were acted upon that everything which a foreign Minister writes was strictly to be laid before Parliament, our Minister would soon cease to write anything of benefit or of advantage to the Government or to the country. And when portions of the despatches are withheld, it is not with the wish or the intention or the effect of withholding from Parliament knowledge which it is essential Parliament should possess, but simply for the purpose of not exposing your agent to the certainty of being placed in a position which would deprive him of being at any future time useful to the Government. Therefore when the hon. and learned Gentleman now moves for papers beyond those which have been already produced with respect to these transactions, my answer is—that it is not consistent with my public duty to accede to the demand; but at the same time, if the House choose to appoint a Secret Committee to inquire into the whole subject, I can have no objection whatever to such a course. I have only to say, that if a Secret Committee have to go through the 2,775 volumes of documents, I wish them joy of their task. The Treaty of Adrianople itself has been laid before Parliament. With the negotiation of that treaty I had nothing to do. It was a treaty concluded when I was not in office, and therefore as far as any communications of the Government of that day, in connexion with that treaty, are concerned, I am entirely relieved from all responsibility for them. But at the same time I submit that no good, but, on the other hand, serious inconvenience might probably arise from publishing now a correspondence that I have certainly not recently looked into, but that I feel may, like all correspondence of a similar nature, contain suggestions, and questions, and answers, and communications, in short, which might have had great importance at that time, but which can now have none, except as explaining the course of a transaction that has been closed. But when the hon. and learned Gentleman finds fault with me in regard to that treaty, and says that the Government of that day protested against it, and that I, by some subsequent conduct — Heaven knows what!—gave validity to a treaty which would not be binding without me, I must say that really such a charge implies on the part of the hon. and learned Gentleman a want of acquaintance with what a treaty is. The treaty was concluded. It was never protested against in any other manner than in the shape of a remonstrance on the part of the Government of this country on account of the consequences to which they thought it must lead; but the Government of that day, any more than the Government which followed them, did not deny that that treaty, having been concluded and ratified, was a valid portion of the law of Europe. And this I may say, without any breach of official confidence, that I have reason to believe that Sir Robert Gordon, who was the British Ambassador at Constantinople at that time, did give friendly and wise counsel to the Turkish Government to accept the terms offered by Russia at Adrianople, and not risk greater disasters by continuing a war which they were unable to carry on. The next Motion, or rather two or three Motions, relate to transactions of a somewhat similar character—to the Treaty of Unkiar Skelessi, and the communications, on the part of Russia, with the Governments of Turkey, Moldavia, and Wallachia. The Treaty of Unkiar Skelessi has been laid before Parliament. That treaty— as is well known — was no doubt, to a certain degree, forced upon Turkey by the Russian Envoy, Count Orloff, under circumstances which rendered it difficult for Turkey to refuse acceding to it. Mehemet Ali had invaded Syria, and had advanced far into Asia Minor, and threatened Constantinople. The Sultan applied to the British Government for assistance; but the British Government was not at that time in a condition to send that assistance. We had not a naval force at our disposal sufficient for the purpose. It was known that Russia had offered assistance. The Russian Government said, "We know that application has been made to England, and we should prefer that England should interfere; but if England finds it inconvenient to do so, we will give the assistance that is required, and save Constantinople from the attack of Mehemet Ali." That was done, and Russia sent a force which did stop the advance of the Egyptian army: and an arrangement was made between the Sultan and Mehemet Ali, by which Mehemet Ali was to be made Pasha of Egypt, Syria, and a part of Arabia. The British Government were, however, surprised to learn that when the Russian troops quitted the Bosphorus, they carried that treaty away with them. It was, however, a treaty for a limited period — that is to say, for a period of eight years. The most objectionable feature in it was, that the Sultan bound himself to consult with the Russian Government on all the affairs of his empire—that he did, practically, give to the Russian Government a power of interference and dictation in Turkey, both in her internal and external policy, which we thought was not consistent with the independent position which we considered it necessary that Turkey should maintain. But that treaty was concluded; and whatever might be the objection that England or France was disposed to make to it, it was not competent for either England or France—except by a declaration of war—to compel the parties to annul it. The only course that we felt it was open to us to pursue was to wait until the treaty should expire, and then to endeavour, by friendly communications, to supersede the necessity on which that treaty was founded, by affording to Turkey a larger protection than was given to her by the single engagement with Russia. Then comes the question of the Treaty of Commerce of 1838, with regard to which I must say, that, though commercial treaties are no novelties in the world, and though the man who negotiates one can scarcely have a claim to be ranked with the inventor of printing, or the discoverer of the compass, or other brilliant discoveries, yet I do not wish to detract from the merit which is due to the hon. Member for Stafford (Mr. Urquhart) in connexion with it. The hon. Gentleman did succeed in preparing the outline of the treaty, and afterwards gave the details of a treaty of commerce with France. The hon. and learned Gentleman said that it was by the especial order of the late King that the consideration of this matter was taken up. The hon. and learned Member seems to me not to have settled his ideas with regard to internal affairs in a much clearer manner than those which he has on foreign affairs. He stated broadly and positively that the Private Secretary of the King was exactly on the footing, in point of power, authority, duties, and responsibilities, with the Secretary of State; that one was neither more nor less than the other; and that I was in the habit of receiving my orders from the Private Secretary; and perhaps he thinks that the Private Secretary was equally in the habit of receiving his orders from me. But that is an entire mistake. The Private Secretary was nothing more, I must say, than the private clerk of the King, whose duty it was to take care of the King's correspondence, and who arranged the King's papers, and performed all those duties which a private secretary is in the habit of doing. But he had no official authority—he had no authority in the State of any kind. The only communications which I or the other Ministers received from the Private Secretary, if written in his own name, were on the most private and unofficial matters; for if they were communications of the King's wishes, they were, though written in the handwriting of the Secretary, always signed by the sign-manual of the King. And, of course, all Ministers of the Crown, when the Sovereign is within reach, and when any occasion occurs when they require to ascertain the wishes of the Sovereign, go and receive them in person. But on no occasion has the Private Secretary any thing to do, or any authority, or communication, or power, with regard to what passes between the King and his Ministers. The hon. and learned Member must surely know that, by the constitution of this country, the orders which Ministers receive from the Sovereign are orders for which these Ministers are responsible; that it is their duty to receive any such orders or advice which the Sovereign may have to give; and that to follow any advice given by another person, not official, not one of the Cabinet, and not responsible, would be highly unconstitutional. The matters to be discussed are between them and the Sovereign, and not between them and the Private Secretary. Therefore the hon. and learned Gentleman is entirely mistaken with regard to the constitution and appointment of the Private Secretary of the Sovereign. But, nevertheless, it is perfectly true that Mr. Urquhart was employed by His Majesty's Government under Lord Grey to draw up a treaty that it was thought would be acceptable to the Turkish Government, and at the same time useful to British commerce. He had been in Greece, and the knowledge which he had acquired on the subject, made me think that his services would be useful; and I was glad to receive suggestions from him, as I always am to receive suggestions that may be of advantage to the interests of the country. The hon. and learned Gentleman says, that Mr. Urquhart was to negotiate the treaty. The hon. and learned Gentleman is not aware of the regulations of diplomatic establishments, and does not seem to know that Mr. Urquhart, going out as Secretary to the Embassy at a foreign Court where an Ambassador is accredited, could have no such authority—that the Ambassador is the only person responsible to his Government—and though Mr. Urquhart might be employed as interpreter, in communications with the Turkish Government, it was to the Ambassador that orders and instructions must have been given. The Ambassador was the only person responsible in the matter, and it was through him that the negotiations must have been concluded. Then it is said, also, that the treaty, as drawn out by Mr. Urquhart, was never signed or concluded. Undoubtedly, in the first place, no man who proposes a scheme for a treaty is to expect—whether he be Secretary of Embassy, President of the Board of Trade, or Secretary of State for Foreign Affairs—can imagine, that his first draft will be that which, upon a full consideration of all the points concerned, will be the scheme that it may be thought proper to propose to the Government in question. This treaty was much discussed at the Foreign Office, and by the Board of Trade; and at last the draft was sent out to the Embassy at Constantinople to be proposed to the Turkish Government. Then there were negotiations at Constantinople upon the treaty; but this I will say, that the treaty as concluded, does not differ in any material respect from the draft of the treaty as settled by the Board of Trade and by the Foreign Office, and as sent to Mr. Urquhart to be proposed to the Turkish Government. The hon. and learned Gentleman really has not read the treaty. He may lift up his eyes at that statement; but I repeat that he cannot have read the treaty, or, if he has, he has not read it correctly. He stated, that by the treaty as signed, British subjects and ships were not placed upon the footing of the most favoured nation; that we had permitted a number of articles, the produce of Turkey, to be prohibited, because the exportation of those articles would compete with the exportation of certain other articles from Russia; and that, in order to promote and encourage the trade between England and Russia, we had purposely embarrassed the trade between England and Turkey. [Mr. Anstey: I did not say that.] The hon. and learned Gentleman must excuse me if I repeat the statement I have made. He mentioned tallow and timber as articles of Russian export, in which the commerce of Russia would compete in England with that of Turkey; and said that we had allowed the Russian Government to prohibit their exportation and the exportation of some others from Turkey to this country. [Mr. Anstey: No, no!] I beg the hon. and learned Gentleman's pardon, but I think he is mistaken. If there was no objection to their exportation, why did he state we had allowed Russia to prohibit it? But, perhaps, he will explain what he did say.

Mr. ANSTEY: Sir, what I said upon that subject was this. When Mr. Urquhart was sent to Turkey to take measures for effecting the adoption of a treaty of commerce between this country and Turkey, Russian influence was paramount there, and had secured the absolute prohibition of certain articles of export, which, if exported, would have competed successfully with articles of Russian export in the English markets; and that Mr. Urquhart was charged, among other things, to use his influence—that is to say, British influence—at the Porte, to obtain the revocation of this prohibition; and that was one of the clauses in the treaty which he had drawn up, which was approved of by the Board of Trade and the Foreign Office, and which was afterwards sacrificed.

Viscount PALMERSTON: That statement amounts to very much what I said. But I meet the hon. Gentleman there. With regard to the footing upon which British subjects and their trade are placed, if the hon. Member will only look at the treaty itself, he will see that the first Article states—

> "All former rights and privileges are confirmed, and all rights, privileges, and immunities, which the Sublime Porte now grants, or may hereafter grant, to the ships and subjects of any other foreign Power, or which it may suffer [not merely grant] the ships and subjects of any other foreign Power to enjoy, shall equally be granted, exercised, and enjoyed by the subjects and the ships of Great Britain."

If that is not securing to British subjects and ships all the advantages enjoyed by the most favoured nations, I do not know how the grant of those advantages could have been expressed in words more clear or more comprehensive. It is not only so in the plain meaning of the words, but it has been so acknowledged since by both parties. We have acted upon that interpretation. Indeed, there could have been no interpretation required in the matter, because the words are as clear and plain as words can be; and from them it is clear that British subjects and ships are upon the footing of the most favoured nations. With regard to prohibition, the hon. and learned Member says, that, in the treaty, Mr. Urquhart proposed there should be no prohibition of the exportation of any articles the produce of Turkey, but that the produce of Turkey was not included. Why, the treaty distinctly says it shall be lawful for British subjects to export any articles the produce of Turkey, upon paying the duty named in the tariff framed in pursuance of the treaty, which fixed the duties to be paid upon the articles enumerated; and oil and timber are distinctly specified as articles upon which the certain fixed duties there specified are to be paid. Again I say the hon. and learned Member either has not read the treaty, or he has failed to read it with that attention which, had he given it, would, I am sure, not have led him to make that observation. The treaty, I repeat, gives to British subjects a clear and distinct right to export any article the produce of Turkey. Now, Sir, the hon. Member said that Russia had not acceded to this treaty. Other Powers did almost immediately after it was signed; but Russia did not, and it is true that for a long time Russia held out for former treaties. But, within the last few years, Russia has acceded, for she has concluded a treaty similar in principle and details to the Treaty of 1838, with one exception—that permission is given to Russia to prohibit the exportation of certain things—to establish a monopoly—and to impose certain restrictions, internal restrictions, upon Russian subjects. The British Government has been much pressed by the Turkish Government to consent to similar restrictions upon British subjects; but, as yet, I have thought it my duty to decline acceding to those requests. We, therefore, stand in this way:—We are bound by the Treaty of 1838, and the Russian Government is upon the same footing, because the Russian Government made its assent to the imposition of these restrictions dependent upon those restrictions being accepted also by other European Powers. Really, Sir, it is hardly worth while to defend the character of my late lamented friend, Mr. Poulett Thomson (Lord Sydenham), from the imputation, in the discharge of his public duty as a responsible Minister of the Crown, of being swayed either by private interest, family pursuits, or any other motive than by a sense of public duty. Those who knew that man—and every man who knew him must regret his great and serious loss to the public service—must have known that if there was a man that was incapable of swerving from his public duty from any such base and sordid motives as those imputed to him, Lord Sydenham was the man. I must therefore, Sir, beg to be excused from saying any more on that subject. I can state to the House the differences between the draft of the treaty sent out in consequence of communications between Mr. Urquhart, the Board of Trade, and the Foreign Office, and the treaty concluded by Lord Ponsonby. The draft provided that British goods should pay only the import duty of three per cent, after which they might be transported to, and sold in, any part of the Ottoman dominions, without any further payments. The treaty, in addition to the three per cent import duty, laid on a further duty of two per cent upon the transport and sale of goods; and beyond that no other duty is to be paid in any part of the Ottoman dominions. This was one of the things to which in negotiation we were obliged to submit. Nobody can suppose, especially in arranging commercial transactions between two countries, that you can go with a draft treaty in one hand, and a pen in the other, and say to a foreign Minister, "There, Sir, sign that treaty, or jump out of the window." You cannot do that, therefore you must negotiate. The draft makes no provisions with regard to foreign goods purchased in Turkey by British subjects with the view of their being again sold in Turkey. This was an omission in the draft; but the treaty provides that foreign goods so purchased may be resold upon the same conditions as Turkish goods. The draft allows the Porte to levy upon goods exported a duty not exceeding the rate of three per cent; and in return it allows British subjects to purchase all kinds of goods in the Ottoman dominions either for re-sale or exportation, subject only to the payment of the transport duty on such goods, and to the tolls demanded for the maintenance of the roads along which the goods are conveyed: the treaty limits the export duty to three per cent, and admits of duties being levied upon goods purchased by British subjects for re-sale in Turkey to the same amount as those levied upon subjects of the most favoured nations. It further stipulates with regard to goods re-exported, and which may not have paid interior duties, that British subjects shall pay in lieu of such interior duties one fixed duty of nine per cent. It was a great object with us to abolish these interior duties, which were a great obstacle to the progress of British manufactured goods in Turkey, and which being made arbitrarily at the caprice of the Governors of the provinces were uncertain in their amount, and excessively vexatious in their mode of being levied. The draft provides that no duties shall be levied on goods *in transitu;* the treaty limits the duties on goods *in transitu* to the 3 per cent impost. The draft does not allude to the point I am now about to state. The treaty specifies in detail the various ports of the Ottoman empire at which it is applicable, and records the consent of the Porte to other Powers settling their commercial matters upon the same basis. Of course it was intended to bring all other Powers within the same regulations; and this is the memorandum I have upon the draft. The above seems to be the essential point to be discussed. I think I have now stated enough with regard to the commercial treaty. The next Motion which stands in order is the Treaty of July, 1840. That treaty, the transactions which led to it and which have followed it, have been the subject of much discussion in Parliament; and upon these matters it was my duty to lay upon the table of the House some blue books of no inconsiderable dimensions. I believe, therefore, that Parliament and the country are pretty well supplied with information upon those transactions; and in fact, if they were not, the subject would require far more time than the indulgence of the House would probably accord to me. In point of fact there is hardly one of these Motions—forty in number—which, to discuss them thoroughly, would not require the whole day. It is clear, therefore, that I can only take the salient points here and there of such objections as struck me to be of force in the course of the hon. and learned Gentleman's speech. The history of the Treaty of 1840 is simply this. Mehemet Ali wanted to make himself independent; but he saw, with the sagacity that belongs to him, that Egypt alone would not form an independent State; and, therefore, he determined to add to Egypt the whole of Syria and Arabia, and such parts of Asia Minor as he could get. He was prevented in that determination. He was stopped by the Russians. He was persuaded to accept a modified arrangement, by which he became Pasha and Governor of Syria and Egypt; and for a few years he did so, but in the meantime he proceeded to augment his army and to increase his navy, and in 1839 he broke loose again, invaded Asia Minor, and threatened the capital of the Turkish empire. Those familiar with the events of that period will remember the important battles which took place between his forces and the Turkish army, his rapid defeats of the Turks, and the extent to which the Sultan's power was prostrated before the forces of Mehemet Ali. It became then a matter of serious consideration for the Powers of Europe to determine what they should do, and what would be the consequences of the uninterrupted access of the Russians. Europe had for some years, from 1832 down to 1838-9, been continually kept in a state of anxiety upon the subject of Eastern affairs. We were told that Mehemet Ali was going to take Turkey, but the Russians would interpose; that England and France would not permit Constantinople to be occupied by the Russians; and that there would be a general war in Europe, and that something must be done. Well, negotiation for a long while prevented an explosion; but the explosion at last took place. I know it was the opinion of some that it would have been far better to have allowed this new Arabian monarchy or empire to be created; that we ought to have entered into relations with Mehemet Ali as an independent sovereign; and it did not signify to us or anybody alse whether Turkey was in that way dismembered or not. I certainly was not of that opinion; the Government was not of that opinion; the other Powers of Europe were not of that opinion. It did appear to all—even to Russia—that the Turkish empire, as it exists, could be formidable to none of its neighbours, but that it is useful as an element in the general peace of the world; that if Turkey was to be dismembered, there would be a scramble for different portions of her empire, which must complicate the differences between the Powers of Europe, and that a general war, in all probability, would be the result. It was, therefore, thought better, for the sake of peace and for the interests of Europe, to sustain the Turkish empire such as it was, and to prevent its dismemberment by the assault of Mehemet Ali. England, Austria, Russia, and Prussia also were of that opinion. We thought at first that France was of that opinion too, for we were in communication with France upon that subject. Indeed, we thought for a long time that the French Government was disposed to go along with us in the measures that we believed necessary. Different views, however, prevailed at length in France. It is not for me to pass judgment upon those views. The fact was that the French Government declared over and over again that they could not, without running counter to public opinion in that country, make themselves a party to any coercive measures for the purpose of stopping the advance of Mehemet Ali, or obliging him to retire from Syria and content himself with Egypt. The hon. and learned Gentleman says that, under these circumstances, the French Government proposed to us to send a squadron to the Dardanelles, and we declined the invitation of the French Government to do so. I think that was not a wise and laudable course, or one by which anything was to be avoided. Where was the danger? The danger was in Syria. What was the object to be accomplished? To compel Mehemet Ali to retire from Syria. What earthly use, then, was it to send a squadron to the Dardanelles? Squadrons can only act where the enemy is; and to send a squadron to the Dardanelles to compel Mehemet Ali to retire from Syria, would not very materially have promoted the object in view. We certainly agreed with France, that if anything should pass on the part of Russia (who professed, however, a desire to co-operate with reference to Turkey) of a hostile character, or, if it was thought better, with the view of retaining the independence of Turkey, that naval aid should not be given by Russia alone, but that the flags of England and France should act in conjunction with Russia; and if the Porte should express that opinion, we said we would send such a representative of the naval power of England as might show to the world we were represented by a certain naval force. But I am not conscious that there was anything to do in the Dardanelles except to show ourselves, and to maintain the position which naturally belongs to England in a joint operation. Then the state of the case was this:—The French Government declined to act in the place where action was necessary, but they were willing to act at the place where no action could operate upon the matter at issue. The hon. and learned Member, however, then says, that to the astonishment of England, of France, and of all Europe, towards the latter end of the year 1839, Baron Brunow arrived in this country upon a special mission; and the hon. and learned Member stated that Baron Brunow arrived for the purpose of putting an end to the mutual distrust which since 1839 had existed between England and Russia. [Mr. ANSTEY: Since 1830.] Well, since 1830. But what then becomes of the charge which the hon. and learned Member makes against me of being such a determined instrument in the hands of Russia? He says from 1830 to 1839, during the nine years in which I was in the office I have now the honour to hold, there had been such mutual distrust between the English and the Russian Governments that it was necessary Baron Brunow should be sent as Ambassador to represent the real views of the Emperor, in order to remove that distrust. I am satisfied with that statement, which is likely to be true. Of course, many circumstances had contributed to inspire distrust mutually in the minds of the English and the Russian Governments with regard to the views and intentions of each other; and it was the object of Baron Brunow to remove that distrust, and to bring a full explanation of the views of the Emperor, which views, he thought, would be satisfactory to the Government of England. But then, says the hon. and learned Gentleman, there was another object in the visit of Baron Brunow. He came to induce England to abandon her alliance with France, and to abandon also the measures taken for maintaining the integrity of Turkey. If the hon. and learned Member was perfectly right with regard to the first part of Baron Brunow's instructions, he was as completely wrong in his understanding of the second. So far was Baron Brunow from being charged to endeavour to induce England to break with France, that one of the most explicit parts of the communication he had to make was this:—

> "We do not ask for it; we are aware that your position requires you should be well looked after; but we do not wish to exclude France in any degree whatever from the general concert which we desire to see established for the maintenance of the independence of Turkey. All we wish is, that you should fully and perfectly understand that our policy, as much as yours, is the maintenance of Turkey as it is. We are anxious to co-operate with you, and that you should co-operate with us, in maintaining Turkey such as she is, and in preventing the dismemberment of her empire by means of the establishment of a new kingdom in Syria"

Nothing, therefore, could be more frank and honourable towards France, and more directly contrary to that which was asserted by the hon. Member, than was the proposition of Baron Brunow. There was, as the hon. and learned Gentleman said, a difference of opinion between the British Government and Baron Brunow with regard to the number of ships which should centre at the Dardanelles. That caused a reference to Russia. The Russian Government acceded to what we proposed, and from that moment the distrust which up to that time had existed between Russia and England was removed; and the English Government was convinced—and everything which has since occurred has confirmed that conviction—that the policy of Russia in this matter was the same as the policy of England, namely, to maintain the Turkish empire, and to prevent the Turkish territory being severed. Public opinion in France at that period was so strong, that the French Government was prevented being a party to any coercive measures, even had they so desired, which I am far from asserting; and the French Government said—"If you other Powers choose to act, we do not pretend to prevent you, but we say that we cannot be parties to such a proceeding." It is well known that by the gallantry of our admirals and fleet—by Sir Charles Napier, in particular, amongst others—those operations were brought in an exceedingly short space of time to a successful issue. The Egyptian troops were compelled to evacuate Syria, and the Pasha was compelled at last to accept the conditions which the Allied Powers offered him—conditions which he thought perfectly compatible with the independence and integrity of the Turkish empire—and conditions which have resulted in removing from that time to this those causes of disturbance and disquiet which for every six months of the six preceding years had placed all the Powers of Europe in imminent jeopardy of wars and broils. Our object was the maintenance of peace by the removal of the dangers by which that peace was threatened; and I contend that the circumstances which have occurred since that time have amply proved that the course which we adopted was well calculated to attain that end. From that time to this, we have heard nothing of the affairs of the Levant, except as regards certain local broils between the Druses and the Maronites. As far as the peace of Europe is concerned, nothing has since occurred calculated to occasion fears for its preservation. The hon. Member says that we laid a trap for France—that we wanted to drive her to the Rhine—but that France was wise enough to see the snare, and to avoid it. [Mr. Anstey: I said the reverse.] Do you mean that she did not avoid it?

Mr. ANSTEY: I said that France, not seeing the snare which was laid for her, instead of insisting on the faith of treaties—instead of vindicating her high position at the Court of Constantinople, and making those proper and suitable representations at this Court which would have placed the Cabinet of the day under the necessity of repudiating the acts of the noble Lord, and of dismissing him from office—determined to put into play against the innocent States forming the Germanic Confederation those very maxims, in derogation of international law, on which the noble Lord and Russia were acting in another part of the world with respect to France and Turkey.

Viscount PALMERSTON: However, fortunately the peace of Europe was not broken, and France maintained her amicable relations not only with this country, but with all the other countries of Europe. A proof that she did maintain those amicable relations, and that what had passed had not engendered those sentiments of hostility which the hon. Member imputed to the French Government, occurred in 1841, when arose the question of concluding the treaty commonly called the Treaty of the Dardanelles. I assure the House that at that time the French representative at this Court came from day to day and expressed his anxiety that that Treaty of the Dardanelles, to which France was to be a party, might be concluded. France had declined to be a party to the Treaty of 1840; but the Treaty of the Dardanelles was a sort of act of reconciliation between France and the other Powers. That treaty was very short. The preamble recorded the principle that the independence of Turkey was an object of European interest; and the main consideration was, that in time of peace no ships of war of any foreign country should pass the Straits of the Bosphorus and the Dardanelles without the consent of the Turkish Government. The hon. Gentleman says that that was a base abandonment of Turkey—that it was a delivering up of Turkey to Russia. Perhaps the hon. Gentleman is not aware, that as far as England is concerned, that article was agreed to in 1809, and that the Treaty of the Dardanelles merely repeated the Treaty of 1809, in which England said that whereas it was an ancient law of the Turkish empire, that in time of peace no foreign ships should pass the Straits of the Bosphorus and the Dardanelles without the acquiescence of the Sultan, England was prepared from that time to act upon that principle. The only thing that treaty did was to record the same arrangement on the part of Austria, France, and Prussia. I have no hesitation in saying that that is an arrangement beneficial to the Turkish empire, because it records the principle that the passage of those straits, being a narrow passage guarded on both sides of the banks, is a portion of the Turkish territory; and I think that those who are acquainted with the local position and interests of Turkey, and with its relation to its neighbours, must see that it is a great security to Turkey that that principle should be recorded. Now, the hon. Gentleman said, however, that from that time forward, viz., from the Treaty of July, 1840, or the Treaty of the Dardanelles, English influence had decreased in Turkey, and the influence of Russia had become paramount. I can only say that all my information upon the subject leads me to differ widely from that opinion. I venture to assert that if from that time I were to name a period at which British influence was most powerful in Turkey, it would be the period immediately succeeding the conclusion of those operations—and that for very obvious reasons. As to the romantic notion that nations or Governments are much or permanently influenced by friendships, and God knows what, why, I say that those who maintain those romantic notions, and apply the intercourse of individuals to the intercourse of nations, are indulging in a vain dream. The only thing which makes one Government follow the advice and yield to the counsels of another, is the hope of benefit to accrue from adopting it, or the fear of the consequences of opposing it. We had shown them that we had the power of being useful in Turkey, and upon that ground our influence was strong there. It was said that that treaty was a virtual acknowledgment of the Treaty of Unkiar Skelessi; but it was quite the reverse. The Treaty of the Dardanelles was a virtual abnegation of the Treaty of Unkiar Skelessi. In the first place the Treaty of Unkiar Skelessi had very nearly expired at that time, and it was quite understood that it was not to be renewed, and therefore the Treaty of the Dardanelles, so to speak, superseded that treaty. Then again, what was the objection to the Treaty of Unkiar Skelessi? It was, that it placed Turkey under the sole and exclusive protection of Russia. But the Treaty of the Dardanelles, on the contrary, recorded that England, France, Austria, and Prussia took, in common with Russia, and equally with Russia, an interest in maintaining and preserving the Turkish empire. The Treaty of the Dardanelles, therefore, placed Turkey, as it were, under the care of all the Five Powers, and consequently, so far from being a virtual acknowledgment of the Treaty of Unkiar Skelessi, it virtually superseded the practically objectionable part of the treaty. And I must say that the readiness with which Russia consented to that part of the treaty, only confirmed the truth of Baron Brunow's statements when he first came over here as to the disposition and intentions of Russia. He stated that Russia wanted no exclusive ascendancy over Turkey, and only wished to co-operate with the other Powers for the advantage of all. But, Sir, if any man supposes that any treaty which we can enter into, that any diplomatic acts undertaken here or elsewhere, can prevent Russia from exercising practically a great, and perhaps the greatest, influence in Turkey, that person must be blind to the geography of the world, and to the influence which a powerful nation must have upon a weaker one. It is quite manifest that our influence in Turkey must be founded on hope, and that Russian influence must be founded on fear. When we see two Powers of unequal strength in immediate contact with each other, the weaker Power must certainly be under apprehensions from the stronger Power; and the stronger Power must necessarily exercise a great influence over the councils of the weaker. Now, Sir, that was the Treaty of the Dardanelles, and in concluding that treaty, I repeat, that we did nothing to destroy English influence in Turkey. We took the benefit of a disposition on the part of Russia to act in concert with the other Powers; and I contend that it was eminently for the advantage of the Turkish empire, and that it afforded a sufficient security for the independence of that empire. Then comes the affair of the occupation of Algiers and other territorial dominions in Africa by British troops. I think that this is not the moment exactly for going into the discussion of that question. We have had papers laid before us explaining all that took place in regard to that part of the world. The question has been discussed already in this House. The House has heard statements from the Government which was in power when Algiers was first occupied; and it has heard statements from those who, like myself, were in power at a later period. Parliament has, to a certain degree at least, declared judgment upon that matter; and at all events I think there are reasons why the question should not be further entered into now. The next matter is the naval and military operations carried on by Russia against the people of Circassia; and into that subject the hon Gentleman entered at some length. By the Treaty of Adrianople, Turkey ceded to Russia certain points on the east coast of the Black Sea; and thereupon the question arose whether those concessions did or did not convey to Russia dominion over the interior of the country. The question was, first of all, how far Turkey exercised supreme authority in that interior, and how far therefore Turkey was competent to make that country over to Russia; and next came the question, how far did the words of the treaty convey the dominion over that interior to Russia. Much controversy arose upon those questions. It was a matter upon which the British Government was very unwilling to pronounce any positive decision. There were many reasons why we should not hastily acknowledge the right of Russia; and there were many reasons, also, why we should not go point blank against the interpretation of Russia, and deny to her a right which she might have felt it a point of honour to assert, and which we might have no good means practically to dispute. The case of the Circassians certainly attracted great sympathy, and some enthusiastic friends of theirs were anxious to what is called "try the question." Now, if any one wishes to assist a person to try a question of law before a court of justice, we all know what furnishing a case is; but when you talk of trying the question of the right of the Russian Government to the interior of Circassia, the real meaning of that is to put England and Russia in such a position of conflict of opinion that one or other must give way, or you must go to loggerheads on the matter. It means, in fact, neither more nor less than war with Russia. Now, I do not think that it would have been very advisable, or very gratifying to this House, or very acceptable to the country, that we should have involved England in a war with Russia upon the question of whether the Treaty of Adrianople did or did not concede to Russia the interior of Circassia. We might have had our wishes on the matter—we might have sympathised with a brave and gallant nation fighting under circumstances of unequal conflict, opposing only such rude arms as as they could prepare against the disciplined and well-equipped legions of a vast and mighty empire. It is impossible but any man should feel a great sympathy with such persons; and no doubt that was one motive which inclined the English Government to avoid hastily pronouncing an opinion in favour of the Russian claims. In those circumstances a certain Mr. Bell imagined that he would take a shipful of salt to Circassia, and "try the question." The Russian Government had issued an edict prohibiting the importation of salt, or I believe rather generally establishing a blockade against the coast; and Mr. Bell determined to take a shipful of salt, of which the Circassians were greatly in need, and to see what Russia would do; intending, if the ship were seized, to demand restitution from the Government, and that being refused by Russia, that Great Britain should send a fleet to the Baltic, endeavour to destroy the Russian arsenals—in short, that there should be a regular "set-to" between this country and Russia. I have been accused frequently of being too warlike; but I own that my courage did not rise to that point. I did not fancy it. Not liking the matter, I gave to Mr. Bell the answers which were published—which I knew very well would be published next day in the papers—which were charged with being evasive, and like some answers which one gives in this House, when one's official duties prevent him gratifying the curiosity of an hon. Member. However, the result was that Mr. Bell was so discouraged that he gave up all intentions of going to the Circassian coast. He had gone to Constantinople; but he was warned by Lord Ponsonby, our Ambassador, to take care not to violate the Russian blockade. He did then give up his intention of going to Circassia. All of a sudden, however, he took it up again. His ship was seized by a Russian cruiser. A long communication between the two Governments, the papers with regard to which have been laid upon the table, ensued; and the result was, that the two Governments came to the understanding that under the particular circumstances in which the ship had been taken, the English Government was not entitled to demand anything from the Government of Russia. Lord Durham, who was then our Ambassador at Russia, conducted that negotiation. Mr. Urquhart was at that time Secretary to the Embassy at Constantinople. Now, the purpose I apprehend for which ambassadors and secretaries of legation are sent to foreign Courts is to maintain peace between the respective countries: when we want to create war, we send men of a different profession. The duty of diplomatic agents is to stave off war, and to preserve peace. But, Sir, some time after that I was shown by one of my under-secretaries a private letter which he had received from Mr. Urquhart, in which Mr. Urquhart stated that Mr. Bell having, after the discouragement which he had received, abandoned his *Vixen* expedition, he (Mr. Urquhart) had sent for him again, and had persuaded him to carry it into execution. Moreover, it was at his instigation that Mr. Bell, after having given up the intended expedition, had resumed it. I certainly felt that, where there was so great a breach of duty, and so great an indiscretion on the part of Mr. Urquhart, that it was not expedient for the public service that he should continue in the position which he then occupied as Secretary of Embassy; and accordingly I wrote a private letter to Mr. Urquhart, to say that, whereas he had before obtained leave of absence at home, he was to understand that he must not return. How far that communication may have influenced the opinion which he has expressed, it is not for me to pronounce. I said the other night that I only wished the House to know the accusations brought against me by the hon. Member for Stafford. As for the long speech of the hon. and learned Member for Youghal, that was only a lesson got by heart from the teaching of the hon. Member for Stafford, who is the only man from whom these facts could have been obtained. I only mean to say that it was my duty to recall the hon. Member for Stafford from his post; and from that time to this— Here the noble Lord broke off, and said, I will not characterise the attacks which have been made upon me by the hon. Member for Stafford. I will only say that I think I did my duty—first, by discouraging the expedition; in the next place, by endeavouring to come to an amicable settlement with Russia on the question so raised; and, thirdly, by recalling the hon. Member for Stafford; and it is curious now, Sir, that the hon. Member for Stafford, in the short speech which he made the other night, said, that up to that moment he had not been aware of the depth of my treachery—that he really believed, at the time he was recalled, I had done it in order to sacrifice him for the sake of the country—in order better to obtain intelligence from Russia. Subsequent reflection seems to have altered his opinion; and how far further consideration may have led him to a decisive proof of my treachery it is not necessary for me to say. Sir, then we come to the Treaty of 1834, between William IV., the King of France, and the Queens of Spain and Portugal, called the Quadruple Treaty. I do not recollect that the hon. Member for Youghal dwelt very much upon this treaty, and the transactions to which it relates; and, indeed, I may say, that although the Motion of the hon. and learned Gentleman consists of forty heads, there are, I believe, above twenty of those heads to which he did not—for the want of time, I presume—make any reference. At the same time I am bound to acknowledge the consummate ingenuity and dexterity exhibited by the hon. and learned Gentleman in comprehending even the twenty heads upon which he did dwell within the limits of his speech of five hours. But, however, the hon. and learned Gentleman did not say very much about the Quadruple Treaty of 1834. That treaty was the subject of repeated discussion—it was the treaty by which England, Spain, and Portugal united in order to expel Dom Miguel from Portugal, and also Don Carlos from Spain. I do not know what may be the feeling of the hon. Gentleman on these subjects, and whether he approve or disapprove of the policy then pursued; but as he did not lay any very forcible stress upon this part of the subject, I may be excused for not referring at length to facts so long gone by. Next upon the Motion of the hon. and learned Gentleman we have the marriages of the Queen of Spain and her sister; but that is a matter which I think perhaps the House will be of opinion had better at the present moment not be very minutely entered upon. Full papers were laid before Parliament touching those transactions; and I think that the opinion of this country seemed to be that the British Government had acted in a straightforward, a fair, and an honourable part in reference to them. The only charge brought against me by the hon. and learned Member under this head was, that I abandoned the policy of Lord Aberdeen; and that whereas Lord Aberdeen had promised not to take up the case of the Prince of Saxe Coburg as a candidate for the hand of the Queen of Spain, I did so. I beg any hon. Gentleman to look at the papers, where he will see the most clear and indisputable proof that such a charge is perfectly unfounded, and that I followed exactly the same course and took up the same position as Lord Aberdeen. Next we come to "the intervention by British forces in the present year in the domestic affairs of Portugal, and the results of that intervention." This is also a question that was fully discussed in Parliament, and concerning which voluminous papers were also supplied; but if at any time it should be the pleasure of the House to go into the subject again, I shall be perfectly ready to discuss it, and to pursue it into all its subsequent stages. We interfered, in conjunction with France and Spain, for the purpose of putting an end to a civil war that was then desolating Portugal, and promised no result but bloodshed and devastation. We restored peace. Our object was, that the parties dissentient, who were in the field, should be transferred to the legitimate arena of elections and Parliament; and to a certain degree we succeeded in that object. Sir, if I am asked whether we succeeded entirely, I cannot say we did, because I am obliged to own—I did not wish the other day, when the hon. Member for Montrose asked the question, to go into details, but undoubtedly, if I am asked whether the elections that took place and the Parliament that was chosen were the elections and the Parliament which the people of Portugal had in contemplation, I cannot say they were. It is not in the power of the English Government to judge of the internal transactions of other countries; but the Portuguese themselves are convinced these elections were not free elections, and that a Parliament so assembled is not a true representation of the people; but nevertheless the forms remain, and where constitutional forms exist, I say to the people—"Be sure, as long as you keep those forms, these institutions will right themselves one day or other—as long as you have the forms of election and Parliament—and a Parliament may be legally assembled under violence, intimidation, or corruption—but wait till next term, and be quite sure that in the long run your rights and your liberties will be secured." Then we come to—

> "The blockades of the coasts of Mexico and Buenos Ayres by the forces of France in 1837 and 1838, and the measures (if any) taken by the British Government to give effect to such blockades."

I do not know that the hon. and learned Gentleman said much, if anything, on the subject; but it must be remembered that the French Government had differences with the Government of Buenos Ayres in those years. The dispute arose from acts of violence done by the Buenos Ayrean Government to French subjects. The result was, that a blockade was instituted and kept up for a considerable time, to the great injury of the commerce of neutral nations. The blockade was at last raised, in consequence of an agreement come to between the French Government and the Government of Buenos Ayres. I think it was in the year 1840, or the beginning of 1841, that they made the agreement, and the blockade was then raised. I do not know that the British Government had anything particular to do, one way or the other, with that transaction. There was another blockade of the coast of Mexico with which it had something to do. There arose between Mexico and France a very serious difference; and the dispute threatened, if left to run its course, to involve those two countries in very serious conflict. The British Government, of which I was a Member, offered its good offices as mediator between Mexico and France. The mediation was conducted first by Mr. Ashburham, then Secretary of Legation, and afterwards by Mr. Pakenham, who resumed his post as Minister. Both those gentlemen performed their duties with great ability and judgment; and the result was a satisfactory termination of the dispute, and a reconciliation between Mexico and France, and the avoidance of a war which might otherwise have resulted from the dispute. Sir, I look with satisfaction upon the share which the British Government had in composing that difference, and look upon it as one amongst the many instances which I could enumerate, if called on to do so, in which the British Government of which I have the honour to be a Member have not only preserved peace between Great Britain and other countries, but have had the good fortune also to be instrumental in preserving peace between other countries which were likely to be involved in war with each other. Then we come to—

> "The several treaties contracted between the Crown of these realms and the Emperor of Brazil, and all subsequent conventions (if any) between

the said Powers, for the repression of the slave trade, and the measures (if any) taken by the British Government in consequence or under pretext thereof; specifying the number (if any) of Brazilian vessels captured by British vessels, and condemned under such pretext as aforesaid, and the dates of such captures and condemnations; and the protests of the Brazilian Government touching the same, and so forth."

Now, I am not aware I am particularly answerable either for the treaty which was concluded in 1826, when I was not in office, with Brazil, or for the Act of Parliament which was proposed in 1844 to this House by the Government of which I was not a Member, and to which I only gave, as a simple Member of Parliament, such support as I could afford. This is a transaction with the beginning and ending of which I had nothing whatever to do. I think the treaty was much to be approved of; I think the Act of Parliament was necessary and right; I am therefore perfectly willing to take the responsibility of having approved of both, but as to the planning of either I cannot take any merit. How this Treaty of 1826 or how this Act of 1844 are to be brought as evidence of my undue partiality towards Russia, I have not yet been able to discover; but it is very possible that some logical connexion may be established between them. Then we come to—

> "The treaties signed between His late Majesty King George IV. and the King of Portugal for the repression of the slave trade, and the measures (if any) taken by the British Government in consequence or under pretext thereof."

If there is any subject more than another which has been frankly and fully discussed in this House, it is the question as to the obligations contracted by Portugal for the suppression of the slave trade, and the manner in which those obligations were, for a large number of years, avoided. Those treaties were begun in 1817—treaties for which I am not in any way responsible whatever. The fault I find with those treaties is that they were not ample enough; they only gave a right of search north of the line, and not south of the line; they only gave a right of condemnation of a vessel with slaves on board, and not of a vessel equipped for the slave trade; and accordingly, although a Government held to be bound by a general treaty to co-operate in the suppression of the slave trade, was held to be bound by that engagement to give more specific and ample powers, yet that Government refused to do so; and the result was, it became my duty to propose to Parliament the Act of 1839, which passed the two Houses of Parliament, the responsibility of which, therefore, is shared by Parliament as well as by myself. The Act was passed, and the result of it was, that under the Administration of Sir Robert Peel the Portuguese Government concluded a complete treaty, and the Act was then repealed. I am not particularly aware what connexion any part of that transaction has with our relations with Russia. The only connexion perhaps is this, that the Russian Government having been a party to the declaration of 1815, at the Congress of Vienna, by which all the Powers of Europe expressed their reprobation of the abominable acts of the slave trade, and engaged that they would do all they could to prevent it—that whereas Russia was a party to this declaration, she did afterwards agree to a treaty by which the right of search was given between her and England. Russia said what was perfectly true—that no Russian subject was ever suspected of being engaged in the slave trade; but that if it was thought the flag of Russia might be applied sometimes to the purposes of the slave trade, she would willingly give a right of searching the flag, and thereby prevent any such fraudulent abuse of the flag and papers of Russia. But, as to Portugal, I do not exactly see in what way the transactions of Portugal and the slave trade bear on the hon. and learned Gentleman's charges. I can only say that there is nothing so amusing to some people as an arithmetical problem—there is nothing so entertaining to some as the working of a chess puzzle; any exercise of ingenuity which consists in following a clue to penetrate a labyrinth is amusing to the mind of man; and, therefore, I presume that the manner in which the hon. and learned Member would urge that this treaty with Portugal bears on his charge was this, that it is part of the gigantic plan which had matured itself in my mind for laying England prostrate at the feet of Russia—that when I had set England on bad terms with every other country—when I had embroiled her with every other country—when I had prevented her from having the good will of any other country—then the time would come that I should lay her at the feet of Russia, and no mistake, and there would be an end of England. I must own that when that day of trouble comes—when the last die shall have been cast for England—I do not think it will make any real difference in the chances of life in this country whether the monarchs of Portugal are on one side or the other. I really think that, except as a very minute link in that most extensive chain which in the opinion of the hon. Gentleman begirts the whole habitable globe, it is hardly worth dwelling upon whether the friendship or hostility of Portugal is on one side or the other. But if it were, I think I may appeal to events which took place at no distant period to show that whatever may have been the conviction which, not the Government of Portugal, not the people, but the slave-traders — the pirates of Portugal — the basest of mankind in Portugal, and connected with the basest of mankind in other countries; whatever irritation these wretches may have felt in consequence of the efforts of Europe to put down the slave trade, no enlightened statesman—no good patriot—no man of honour—need allow his mind for an instant to be poisoned by these insinuations, but remain convinced that what has been done is for the true interest of Portugal; that the friendship of England is the mainstay of the existence of Portugal; and that, not only in times of difficulty England is the country to which Portugal may look for support, but is also the country to which every honest and patriotic man can look in times of prosperity for friendly relations. I, therefore, utterly deny that the exertions which England has made to suppress the slave trade, even as regards the slave trade of Portugal, have injured in any degree her interests as depending on friendship or alliance, political or commercial, with other countries. Next come—

> "Complaints made by or on the part of the French Government in respect of the capture and condemnation of French vessels and their cargoes, under pretext or in consequence of their being engaged in the slave trade."

The House is aware that in 1831 and 1833 Earl Grey's Government obtained from the Government of France the mutual right of search for the suppression of the slave trade. It was a great concession on the part of France for very obvious reasons. There was a good deal of jealousy in the public mind of France with regard to any interference by British ships of war with the flag of France; but in the early days of the revolution which took place in 1830 many circumstances rendered the French Government willing to yield to any proper views which the English Government might express. They felt a pleasure in concurring with us in a measure which was calculated to promote the object of the suppression of the slave trade. We got then the right of search for a long while. Nothing happened that could afford any ground of complaint to either party; but it is true, that latterly—that is to say, in 1838 and 1839—there were one or two cases of French vessels as to which complaints were made that the captures had been made not in conformity with the stipulations of the treaty, and that wrong had been done. Those complaints were not well-founded; because those captures were made, not under the treaty, but under the municipal laws, in consequence of vessels under a French flag having come to a British port under circumstances, which, by British law, rendered them liable to seizure and confiscation. Whether the judgment of the courts was right or wrong, their judgment was pronounced under the municipal law of the country, and not under the provisions of the treaty. But those Treaties of 1831 and 1833 are, as the House well knows, suspended—the provisions were suspended by the Treaty of 1845 between England and France, which is now the governing condition of the operations of the two countries for the suppression of the slave trade. By the Treaty of 1845 the mutual right of search is extended for five years, and then, if no agreement is made, for ten years further; and then, if no agreement is made, permanently. So that at present there is a mutual right of search between France and England. But here again, I suppose, the hon. Member would urge that my only object in getting the Treaty of 1831 and 1833 for the mutual right of search between England and France, for the suppression of the slave trade, was not the suppression of the slave trade itself, but a wish, by a somewhat circuitous course, to create again another enemy, so that when the day of judgment came, France should, like Portugal, abandon England to her fate. Now it is perfectly well known that this convention was the fruit of friendship, and not the seed of animosity. The instructions which were given were instructions in accordance with the treaty. Those instructions are not secret—they have been laid upon the table of the House—they have been placed before Parliament; and if there are any papers connected with them which are supposed to be of use in exhibiting the views of the Government, I shall be happy to lay them before the House. I believe, however, there is none. They have all been issued virtually on the assurance of treaties, and were the common instructions to English officers and the officers of those Powers with whom the treaties were concluded. Then we come to the questions of the several treaties concluded between the British Government and the republic of Texas on the same subject of slavery, and the lien of British subjects on the lands of Texas to the amount of their claims on the republic of Mexico. The House is aware that the province of Texas having been in some degree settled by Mexicans, declared herself independent. It was the wish of the British Government to induce the people of Texas to remain united with Mexico; but it was not in the power of the British Government to do so. The next best thing which appeared to the British Government that they could effect was, to persuade the two parties to separate as friends, and not to go to war together, which would lead to the consequences we foresaw, and which have since been the result. We did our best to persuade the Mexicans that they had no chance of reconquering Texas—that their best hope was to acknowledge the independence of Texas on conditions. We told them that the inevitable result of a protracted refusal would be, that the United States would step in and help Texas, and that that would end in its annexation to that country—that it was far better for the Mexicans to have interposed between them and their powerful neighbour a third State, not large enough to be dangerous, but which would relish its own independence, and thereby not enter into hostilities on either side, than to run the chance of bringing the frontier of the United States to their own door. In the mean time other Powers had acknowledged the independence of Texas; and it occurred to us that Texas was a country with which England might have valuable relations, looking to it as likely to be a great cotton-growing country. There were many circumstances which gave us an interest in regulating the footing on which our subjects should trade with Texas; and we accordingly consented to conclude a treaty of commerce with her, which was, in fact, an acknowledgment of her independence. I think we did perfectly right in that. It gave the best chance, if there was one, of inducing the people of Texas to continue an independent State; and as long as they did so, it gave a security to our commerce which it was highly desirable our subjects should enjoy. But the hon. and learned Gentleman found fault with me for not having obtained a stipulation from Texas that slavery should not be introduced into that State. The simple answer to that is, that Texas would not hear of it. We should have been most delighted to have obtained that concession; but when you consider that the great bulk and most active portion of the Texans were emigrants from the United States, and probably from the southern States, it is obvious that the Texans would not have paid such a price for our acknowledgment as the abolition of slavery. We could not obtain it. The hon. and learned Gentleman says, that slavery did not exist by the law of Mexico; but I say that, considering the circumstances I have mentioned, we could not expect that the Texans would undertake that slavery should not be a part of their social condition. We did, however, take the only precaution in our power, and one which, let me tell the hon. and learned Gentleman and the House, the Texans were very little disposed to grant. We obtained from them a treaty giving a right of search for the suppression of slavery. But if there is one thing more than another which the citizens of the United States had always stood upon—I will not say always, but of late years—it was their determination not to permit their flag to be searched by cruisers or otherwise; and, therefore, obtaining that treaty from the American settlers in Texas—an American citizen (General Hamilton) being the organ of communication—was certainly a concession of some value, and showed the desire of the Texans to have their independence acknowledged. But there was another condition which they acceded to—that if we could, within a certain time, persuade the Mexican Government to acknowledge their independence, they would take upon themselves a portion of the Mexican debt; and that would have been an advantage to those British creditors of Mexico to whom the hon. and learned Gentleman referred. The hon. and learned Gentleman reproached me with not having taken care of the interests of British trade. I have often said in this House that the British Government never yet have come to a determination to take up as a Government or international question the claims of British creditors on foreign Governments. The time may come when Parliament will insist on that being done; but it has never done so yet. Subsequent events have no doubt shown, that even the chance which we thought we had obtained for the continuance of the independence of Texas has deceived us, and that that country is now part of the United States; but it is not on that account that the claims of British creditors on Mexico is altered. That claim is on the Mexican Government and the Mexican territory; and as far as anything remains to Mexico, that claim is the same as it was before the annexation of Texas. How far those claims may be practicable or not, or may be affected by subsequent transactions, I am sure the House will agree that this is not the proper occasion to inquire. We then come to the award rendered by the King of the Netherlands as to the Oregon territory, and the measures taken by the British Government for securing to the said award its due effect. Upon that point the hon. and learned Member made one of the great mistakes which he made in the course of his speech. The hon. and learned Member said this was a case in which there was no positive criminality on my part—that I had abandoned the definite and irrevocable settlement—these were the words—of a question which had been left to the award of the King of the Netherlands. Sir, I did no such thing; the award was no such thing. The King of the Netherlands made his award; and what did I do as the organ of the British Government, or what did the British Government do through me as its organ? We received that award from the Hague in January, 1831; a few weeks after it was received we came into office, and without the least delay we sent it off to the Government of the United States, and without entering into any of the objections we might have made to it, we accepted it. We submitted to it as final and conclusive, and though it involved a considerable sacrifice of territory by Great Britain, yet we, for the sake of peace, accepted it. What was the answer of the United States? They rejected it from the first moment. ["No, no!"] The Minister of the United States in Holland protested against it from the first moment. We endeavoured for some two or three years to persuade them to accept it; we persisted in arguing with them that the grounds upon which they rejected it, as not being final and conclusive, were not valid. They objected that it was no award; that instead of its being definite and irrevocable, it was not in accordance with the submission to the King of the Netherlands, and was merely a recommendation. The assertion, then, of the hon. and learned Gentleman, that the award which was final and irrevocable was rejected, is perfectly true; but the hon. and learned Gentleman for me must substitute the Government of the United States. But after that Government had for some length of time persisted in declining that arrangement, we said—"If it is not binding upon you, it is not binding upon us, and we are therefore free and ready to negotiate with you on a different basis." We accordingly proposed another basis of negotiation; but the Government of the United States did not accept it. That negotiation went on for a certain length of time; the Government was changed—we went out, and the Government of the right hon. Gentleman the Member for Tamworth came in; Lord Ashburton was then sent out to the United States, and he made an arrangement of another kind, in which something more was conceded to America than would have been her share by the award of the King of the Netherlands. I think the course we pursued was the course most conducive to the maintenance of civil relations with the United States. We now come in this great pile of baggage to the other end of the train. We jump from America to Persia. The next complaint of the hon. and learned Gentleman is the selection, in 1834, of the present Schah to fill the throne of Persia, and the subsequent rupture between that Power and Great Britain, and particularly as to the part taken by the Czar of Russia respecting it. It is known that during the life of the late Schah his eldest son had died leaving children, one of whom was the present Schah; and when the old Schah died there were living also several of his brothers. In the East the law of succession is not exactly what it is in Europe. The succession as often goes through brothers of the deceased, whether sovereign or individual, as in the lineal descent through his eldest son; but I believe in regard to the succession to the throne the choice of the reigning sovereign is generally considered as settling the point. Sometimes an adopted son, having no relation to the family, is the choice. Well, during the life of the late Schah he had expressed a wish that his grandson should succeed him, and he expressed his intention of so settling the crown. That wish was conveyed to the Russian and British Governments. The former Government expressed its willingness to concur in support of that choice; and undoubtedly the British Government thought the wisest course was not to set itself up in opposition to the will of the Schah and the Russian Government, and to support another candidate, but to accede to the will of the Schah, and to support the choice he had determined on making. If we had taken an opposite course, and the Schah had died without anything being done in the interval, there might have been a civil war in Persia, in which Russia might have stepped in; and, as is well known in that part of the world, the brother who might have been put up against the will of the Schah might have lived to that day, but he never would have seen the end of it. But although the moral influence of Russia and England concurred on that point, there was a contest, which, however, ended in favour of the present Schah; yet the hon. and learned Member contends that the selection on our part destroyed the influence of England with Persia. That influence was yielded, I am sorry to say, in a great degree to the influence of Russia: but why? Not because we concurred with Russia in supporting the will of the late Schah, but because of the unfortunate war that broke out between Russia and Persia in 1825 or 1826, which ended in Persia ceding to Russia a great part of her territory, and which laid her so prostrate at the feet of Russia, that Russia stepped in and naturally obtained a great influence in Persia to her advantage. But Lord Fitzgerald, who was then at the head of the Board of Control, expressed no such opinion as that which was expressed by the hon. and learned Gentleman, that the interest of England was to exclude Russia from all influence in Persia. What did he say on the 3rd of June, 1842, in the House of Lords in the course of a debate on this subject? He said—

> "That we had no more reason to fear the machinations of Russia against this country at the Court of Teheran than in any other quarter. He was sure the noble Lord would be glad to hear that which would remove the fears that disturbed his repose. At no period were the relations between Great Britain and Russia more intimate and amicable, and there was no Court in the world in which the diplomatic agents of both countries acted with more cordiality and union than at Teheran. Not only had our amicable relations with Russia been mainly assisted by the Russian Government"—

and, in fact, Lord Fitzgerald took credit for the co-operation of Russia in regard to Persian affairs, instead of wishing, as the hon. and learned Gentleman would do, studiusly to separate her from Persia—but he said—

> —"not only had our amicable relations with Persia been mainly assisted by Russia, but from the commencement of our communications with the Court of Teheran the most uninterrupted harmony had prevailed between the Russian and British Governments; and he trusted that that harmony would continue to prevail, thereby giving an assurance of the union of those two great empires, which was as necessary to the preservation of peace in the East, as an alliance and good understanding between them was essential to effect and maintain the peace of the world."

The hon. and learned Gentleman has made free with the memories of some departed personages, yet I trust, at all events, when my sentence of condemnation has been stuck under my cape (as happens to Chinese offenders), that his wide indignation shall cease to be brought down upon others with whom I have co-operated. I can only say, that Lord Fitzgerald, at the time, did think that the alliance of Russia might be of some value to England. I now come to the next point to which the hon. Member adverted:—

> "The treaty signed at Lahore, the 26th June, 1838, between Lord Auckland, Runjit Singh, and Shah Shoojah, and the causes of or reasons for such treaty; the declaration published by Lord Auckland at Senilah, on the 1st October, 1838, and the causes of or reasons for the same; and the military and other operations and transactions adopted or prosecuted with regard to the Affghans, in consequence of such declaration; and the measures (if any) taken by the British Government with reference to the Czar of Russia, and his relations to the Affghan people."

This opens an extensive chapter for the consideration of the House—the Affghan war, the circumstances that led to it, and the manner in which it was conducted. I have already laid on the table most ample documents relative to and explanatory of those transactions. Everybody will remember that that war was begun by an act of the Schah of Persia, who invaded the territory of Herat. At that time there were many good men in England who had never heard of Herat. It is a city in Affghanistan, nearest the frontier of Persia. The Schah had long entertained an intention to march upon and conquer Herat. The British resident, Sir J. M'Neile, from the first moment that that intention was announced, remonstrated against the proceeding. The hon. and learned Gentleman, with that boldness which characterised his speech, has asserted that the English Government did not protest against the attack on Herat until after the Persian army had been despatched. Why, the British Government interposed long before the troops had started from Teheran, and long before any attempt had been made to put the design into execution. And not only that, but when the army had surrounded Herat, and had commenced the siege, Sir J. M'Neile went to the camp, and endeavoured to bring about an accommodation between the parties. No one can forget the graphic and picturesque account which Sir J. M'Neile gave of the night-move—of the preparations for the assault—of his having passed through the Persian intrenchments to the town—and of the parley which he had in his endeavours to negotiate with the Affghans: these transactions are all recorded and have been before the House for years and years; and yet, in the face of these documents, the hon. and learned Gentleman has dared to assert that we never protested against the invasion on the part of the Schah until his army had been defeated. The hon. and learned Gentleman will have an opportunity of reconciling his statements and the fact. I confess I am utterly unable to do so. The question then occurs, was it against the interests of England that the Schah should conquer? We thought it was, and the Governor General of India was of the same opinion; and we, consequently, took those measures which we thought best adapted, first by persuasion, and afterwards by other means, to induce the Schah to abandon his enterprise and to retire within his own territory. Those measures were, finally, successful. The Schah, influenced to some extent, no doubt, by the gallant and protracted resistance of the Affghans, raised the siege and retreated. I do not see, however, against what I have to defend myself in this respect, or in what way our conduct in persuading the Schah to relinquish the contemplated conquest of Herat can have tended to advance the power and interests of Russia. I could, indeed, understand such a result attending the success of that enterprise. I could understand it being an advantage to Russia, if she should entertain hostile intentions towards England, to have the rule of Persia, a small Power, if within her control, extended as far as possible in the direction of our possessions in India; but I cannot comprehend any benefit being derived to Russia from failure on the part of Persia. We then come to the Affghan war, of which the Persian attack on Herat was part and parcel. The chiefs in the eastern portions of Affghanistan were in concert with the Persians in the meditated movement, and it was thought necessary, for the interests of this country, and for the better defence of our Indian empire, to send an expedition into Cabul and Candahar for the purpose of deposing those chiefs who were hostile to England, and of investing in their authority those who were believed to be more friendly to us. The subject has frequently been discussed in the House, and it is well known on what grounds the expedition was undertaken. The hon. and learned Gentleman has founded upon these transactions a charge not only against myself but against other Members of the Government of that day, of having perverted the documents which were laid before Parliament, of having suppressed many passages in the despatches forwarded to us, and of thus having acted disingenuously by the House and the country. That charge has more than once been urged against us: it was brought forward frequently in the debates upon those important matters. We all took part in the discussion. My right hon. Friend Sir John Hobhouse, who was then out of office, but at the same time felt himself bound to defend his own conduct and the acts of the Government of which he was a Member, replied to the accusation; and I affirm, if any man will give himself the trouble of referring to those debates, as recorded in *Hansard*, respecting the despatches of Sir Alexander Burnes, he will see that it is not true to assert that the papers produced to the House did not contain a faithful report of the opinions which that Gentleman gave to the Governor General and the Board of Control. I do not mean to say that Sir A. Burnes did not himself subsequently alter those opinions; but the passages omitted contained opinions on subjects irrelevant to the question at issue; and when the House remembers how much Government is blamed for printing matters which do not bear upon the question, and how liable it is to the charge of endeavouring to obscure the understanding of Members, the House will be of opinion that we were not wrong in striking out such passages as were irrelevant and unimportant. And the House will be more inclined to be of this opinion when they recollect that Lord Fitzgerald, then President of the Board of Control, having access to these documents, felt himself bound to state that he could not find any trace on the part of the then Government of concealing or misrepresenting the facts. Sir, if any such thing had been done, what was to prevent the two adverse Governments who succeeded us in power—one of which endured for five years—from proclaiming the fact and producing the real documents? The next point to which the hon. Gentleman referred was the occupation of Aden by the naval and military forces of Great Britain. I do not know whether any papers laid upon the table of the House upon this subject have been read by the hon. Gentleman; but papers were laid upon it in the year 1839, in which he would find it stated, that upon certain considerations Aden was handed over to us by the native chiefs to whom it belonged. It was valuable to us as a half-way station between the Red Sea and our Indian empire, as a place to touch at to take in coal and other necessaries; it may become yet a great commercial station; I believe it is an acquisition very useful to us; but how that acquisition is to promote the Russian interest, I believe the hon. Gentleman will find it very difficult to prove. The hon. Gentleman next referred to the thirty-fourth charge, namely—

> " The assertion of ecclesiastical and temporal jurisdiction advanced by or on the part of the Crown of Portugal, or the Viceroy of the said Crown, in Goa, over the persons and properties of Roman Catholics, being natural-born British subjects, within British India; and the measures (if any) taken by the British Government to repress or maintain the assertion of such jurisdiction; and the charges (if any) preferred against the said Viceroy, of being engaged in collusion or conspiracy with the deposed Rajah of Sattara, to the prejudice of the Crown of Great Britain and its sovereignty within India; and the measures (if any) taken by the British Government generally thereupon, and particularly with reference to the said Crown of Portugal, and its responsibility for the same."

I certainly am surprised at the name of the Rajah of Sattara being mixed up in this matter, though I do not recollect that the hon. Member made any particular remark on that subject. I must say that there are differences between Portugal and the East India Company regarding the spiritual supremacy over Catholics exercised in that part of the empire; it is a question with which I have nothing to do, upon which I have no knowledge, although communications upon the matter have passed instrumentally through my hands. I cannot pretend to say in what state those matters now are. All questions of an ecclesiastical or spiritual nature concern me very little, except as they are brought to bear upon temporal matters. This question was, however, entirely confined to the India Company and the Government of Portugal. I come now to the next point of the hon. Gentleman's charge:—

> " The mission of the late Lord Napier to China in 1834, and the failure thereof, and the causes and consequences of such failure; and the measures (if any) adopted by the British Government by reason thereof; also, the seizure and confiscation of British property, and imprisonment of British subjects, in China by the Chinese Government in 1838 and 1839, by reason or on pretext of breaches of revenue laws, and the measures (if any) taken by the British Government, in consequence of such seizure, confiscation, and imprisonment; also the military and naval operations prosecuted by the British Government in 1839, 1840, and 1841, in China, or upon the coasts thereof; also, the treaty signed at Nankin on the 29th day of August, 1842, and the measures (if any) taken by the British Government under the same, and the results and actual operation of the said treaty."

Now, from time to time, very full information relating to these matters has been laid before Parliament. It will be remembered that Lord Napier was sent out as British representative at Canton; that a dispute arose between him and the Chinese authorities upon a question of etiquette; that he was obliged to leave Canton; that he was then suffering under a violent attack of fever; that the vessel in which he was being conveyed was accompanied by a number of Chinese junks; that the people on board of those junks kept up a beating of the gongs night and day; that this aggravated the sufferings of all kinds which he was compelled to endure; and that, eventually, he fell a victim, while in the Canton river, in the discharge of his public duties. The British Government, on receiving this information, did nothing more than send out a general remonstrance. It was not considered a case sufficiently clear and well-founded to justify a recourse to hostile proceedings against the Chinese. We trusted that a better acquaintance with the power of England, and the disposition of Englishmen in their commercial dealings, would in time lead to the avoidance of any ground of complaint on our part against the Chinese. Our forbearance was misunderstood, and after this there occurred the seizure and imprisonment of some British merchants, with the threat of putting them to death if they did not deliver up all the opium of which they were in possession, or of which they expected to become possessed; then followed the demand for satisfaction, and the refusal of that demand by the Chinese Government; and then ensued those naval and military operations, which, being entirely successful, led to the Treaty of Nankin and a supplementary treaty, by which our position in China was greatly improved, and by which we obtained access to an additional number of ports, and secured, so far as any treaty could secure, privileges and securities to the British merchants trading to China. Well, I really do not know what is the charge that is to be founded on these transactions. The hon. Member may think we were not sufficiently energetic in the first instance, and that we passed over too calmly the death of Lord Napier. I am bound to say, however, that there were circumstances connected with that affair which would not perhaps have afforded us sufficient reason for a declaration of war. Lord Napier, no doubt, was very ill used; but I am not quite sure that Lord Napier acted with a prudent judgment in insisting, with such a people as the Chinese, upon certain diplomatic privileges and honours. If we did err in refusing to take our stand upon such a case, we erred upon the side of peace and forbearance; and, at any rate, I think the country at large will not find fault with us for having committed that error. When the second question arose, and a gross outrage was perpetrated upon some British subjects, and upon an officer of the British Crown, under circumstances where it could not be shown that they had been guilty of a want of judgment, we thought that the time was come when the British Government must determine whether it would abandon its subjects to the mercy of the Chinese, or, on the other hand, whether it would display such a force as would convince that people of our power and of our determination to protect our subjects engaged in lawful commerce even in the remotest quarters of the globe. Our operations succeeded. Is it with the success of those operations that the hon. Gentleman is disposed to find fault? The Treaty of Nankin was drawn up in conformity with the instructions I sent out; and I therefore admit myself to be responsible in a great part for the provisions of that treaty. And such was the feeling in this country with regard to the advantages which we gained by the Treaty of Nankin, that when Sir H. Pottinger returned home, after concluding the negotiation, he made as it were a triumphal procession through the kingdom. Men who were engaged in commerce, from one end of the land to the other, vied with each other in the praises and honours they heaped upon him; and their admiration of his conduct was only second to the sense which the Government entertained of his services. There were not two opinions on the subject; or, if the hon. and learned Gentleman differed from the nation, he kept his sentiments to himself. I do not pretend to take to myself the exclusive merit of that treaty. I sent out, before I left office, the instructions on which mainly it was based; but the Government which succeeded, and which adopted those instructions, is entitled to an equal share of the applause. If, therefore, there is to be any censure cast upon us for that transaction, the hon. and learned Gentleman must, in justice, extend his axe to the heads of those who consummated what I commenced. By this treaty those ports, to the north of Canton, were opened to England which had never before been accessible, and with which I was told commercial intercourse was most desirable; and as to one of them, the port of Shanghea, I am happy to say the expectations formed of the advantages of free commerce here have been amply realised, the traffic between England and Shanghea increasing every year with a most rapid progression. Then we come to

—"the publication, in 1836 and 1837, of a periodical called the "Portfolio," and also the accounts of the cost of printing and publishing the same; also, all applications made to the Treasury or other departments by any person on the subject of the said periodical or accounts; and also the measures (if any) taken by Her Majesty's Government thereupon; and also copies of all affidavits filed and proceedings had in 1837 and 1838 in the matter of a criminal information against one Walker for a libel on the late Secretary of Legation at Constantinople, and of the measures (if any) taken by the British Government, or by the British Ambassador at Constantinople, in consequence thereof; also, copies of all documents relating to the appointment of Lieutenant-Colonel Du Plat to be the British Consul at Warsaw, and of Mr. Fonblanque to be the British Consul at Belgrade, and of all correspondence with the Commander-in-Chief of the Forces in 1839 on the subject of the military promotion of Lieutenant-Colonel Du Plat."

Now, with regard to this publication, I have a statement to make. The hon. Member for Stafford represented me as the publisher of the "Portfolio." I beg emphatically to repudiate the fathership which he would force upon me. But he stated that the way in which the documents published in the "Portfolio" were obtained was this—that Count Zamoyski had placed in my hands a collection of despatches and other documents, which having been in the Foreign Office of Warsaw, were carried off when the Provisional Polish Government was broken up—that I had kept them for two years, and then that the late King had compelled me to give them up to the hon. Member (Mr. Urquhart), in order that he might publish them. Now, I am surprised that the hon. Gentleman should have stated so much which was correct, in one respect at least, and mingle with it so much that was incorrect. It is true that these documents were taken away from Warsaw on the occasion described. The way in which they originally came there was this:—The Grand Duke Constantine was the Governor of the kingdom of Poland, and the Emperor showed great respect and consideration for him, insomuch that copies used to be sent from St. Petersburgh of all documents of interest connected with the empire. A number of these papers then were carried off at the fall of Warsaw. It was in the year 1834, in the autumn of that year, that a Polish gentleman informed me that these documents contained very many important and interesting secrets. I said that I should be very glad to see them, and would return them into the hands from which I received them. Well, they were brought to me. I was much occupied at the time, and I had no leisure to go through them. I gave them, therefore, to Mr. Backhouse to look over, and desired him to point out to me any particular documents which might be particularly interesting. He did so, and laid before me one which I read. The rest I put into a drawer in my private residence, and there they lay from November, 1834, until early in the spring of 1835, when, being still out of office, a Polish gentleman came to me, and after satisfying me that he was authorised to make the request, demanded back the papers which had been placed in my hands. I unlocked the drawer of the bureau, and gave him the documents—he took them away—and from that time to this, with the exception of the single paper to which I have referred, I have never seen one of them. It is, therefore, untrue that I gave them to the hon. Member for Stafford, or that I was compelled by the late King to do so. It was not from me that the hon. Gentleman received those papers. Well, such being the case, I have only to repeat that I only read one despatch, containing an account of a conference with the Duke of Wellington and the Earl of Aberdeen, about, if, I mistake not, the blockade of the Dardanelles. I knew that the hon. Member for Stafford was about to translate a German work which appeared at the time, and which contained a collection of similar diplomatic documents found at Berlin. [Mr. URQUHART: The task was proposed to me from the Foreign Office, but I never entertained any such project.] Well, one day Count Zamoyski came to me at the Foreign Office, and said, "Have you seen this publication?" at the same time producing a small pamphlet—in fact, the first number of the "Portfolio." I said, "What is it?" and he showed it to me. The number contained one of the documents which I had returned as I have stated—and that was the first I ever knew, not only of the "Portfolio," but of any intention to publish any such periodical; and from that time forward, though I have the same sort of knowledge that the hon. Member for Stafford was the editor of the work as most people have as to who is the editor of the *Edinburgh* or *Quarterly Review*, I utterly deny that the "Portfolio" was published under my authority, that I ever sanctioned it, or that I ever had any communication with the publisher upon the subject. When the "Portfolio" was going on, Mr. Strangeways, my own private secretary, and a gentleman in the habit of holding intimate communication with the hon. Member for Stafford, and who, I suppose, knew the existence of the document in question—indeed he must have done so—brought me one day one of these despatches. He said, "Here is a curious despatch which is about to be published; would you like to read it?" I looked at it, and saw that it was the despatch which I had read before. Now, it has been said by the hon. Member that the editor of the "Portfolio" never published a document without my signature and initials. That I utterly deny—I deny that I had anything to do with the documents published at all, except as respects this despatch. Well, I read it, and said, "There are one or two passages which I should like omitted." I marked them in pencil, and whether I added my initials I really cannot tell. The passage was one which contained what I conceived to be an unjust reflection upon two Members of the Government in power at the time the transaction took place. They were my political opponents; but I thought it right to omit a portion of a despatch written after a hostile interview by statesmen of a foreign

Power—passages which, had they themselves to rewrite, would probably have been very differently couched. The sole exercise of influence on my part, then, as connected with the "Portfolio," was to request the omission of this passage. This is really all I know of, or had to do with, the "Portfolio." The hon. Member, however—for what reasons I know not—tried hard to connect the Foreign Office with that publication, and a long correspondence with him upon the subject took place. That correspondence was published in the newspapers of the day; and I will just read a passage from a letter written by Mr. Backhouse, bearing upon the connexion which he had, as Under Secretary of State, with the "Portfolio." It was dated Liverpool, 24th January, 1839, and was as follows:—

> "I have said that I have nothing to retract in the substance of the statements which I made from memory in my letter of the 2nd of August, with regard to the publication called the 'Portfolio;' and I again assert, that I steadily refused, throughout the whole of our verbal communication, to assume any of the authority, or to accept any of the responsibility, which you so pertinaciously strove in that conversation to force upon me. That such was really the issue of our conversation would indeed be manifest even from the step which you took immediately after it was ended, as may be collected from the nature and contents of the first of the two letters which you have produced, dated the 1st of January. You have found it impossible to obtain from me the official sanction which you professed to require; and, having failed in that attempt, and time pressing, you were driven to make trial of another course—that of referring the matter to Lord Palmerston; and, accordingly, on the evening of the 31st of December, you transmitted to me, from your private residence, a packet purporting to contain that reference, which I was to forward to his Lordship, who was then out of town. Can more conclusive evidence be required than was afforded by this step, that you had failed to obtain from me the official sanction and authority which you had evinced so much anxiety to obtain with the least possible loss of time? But your packet for Lord Palmerston was sent to me at too late an hour to be forwarded to his Lordship the same night; and, accordingly, on the following morning I returned it to you in my letter of the 1st January, with an explanation of the cause of its not having been forwarded. After this we had no further verbal communication during the progress of this affair. All the subsequent communications respecting it were in writing. And by your reply to my letter of the 1st of January, in which you sent back to me your papers a second time, and in which you represented the amount of the pecuniary loss which you would individually sustain by the least further delay in the forthcoming number of the "Portfolio"—and, further, by my hasty rejoinder of the same evening, finally returning the papers to you, the whole proceeding was closed. These written communications from me, when read with reference to the facts which preceded them, and to the requisition contained in your answer to the first of them, will be found to imply no change in the determination which I had previously declared to you in our verbal communication. They show, on the contrary, that I continued to the last to decline to exercise authority, or to incur responsibility, with respect to any insertion in the "Portfolio." It will further be seen, by my first letter of the 1st of January, that the only suggestion which I made to you with reference to the question, whether you should publish your paper or withdraw it, was adverse to the publication of that paper; but still on grounds wholly unconnected with the management of the "Portfolio"—whilst your letter of the 1st of January will show that you, on the contrary, argued against the effect of my suggestion, and stated your reason for thinking that the publication which you desired, and which you eventually effected, 'might be ventured.'"

Then, Sir, I say I am free from either merit or blame as to the "Portfolio." After this, however, I appointed the hon. Member to be Secretary to the Embassy at Constantinople; and I well recollect that when he was going I said to him, "I do not ask whether you were or were not the editor of the 'Portfolio.'" The fact was, that I sent him, notwithstanding my convictions upon the subject. For myself I had never even been consulted as to whether any such publication should ever be issued. It contained some violent attacks upon Mr. Poulett Thompson, which would certainly never have been made in any publication over which I had any influence. And when, therefore, the hon. Gentleman applied to me to pay the expenses of the publication, I certainly declined to disburse them. I really cannot enter into the question between the hon. Member and Colonel De Plat. It is a question of private disputes and newspaper controversies, which I must leave as I find it. We, therefore, come to the next charge. And I find that the hon. Member moves for—

> "Copies or despatches of the Treaty of Commerce signed between the Crown of Great Britain and the Free City of Frankfort on the 13th May, 1832; and of all correspondence from the year 1833, inclusive, relating to the said treaty, or to the surrender or relinquishment by the British Government of British rights under the said treaty, or to the facilitation of the accession of the said Free City to the Prussian Customs' Union."

Now, Sir, the history of that treaty is this. The Prussian Commercial League was formed. There was nothing in the nature of that League which was in the slightest degree hostile to British interests, for anything which tends to unite Germany into one body commercial, must be favourable for the commercial interests of England. Because by throwing down all those internal custom-houses, spread out like the cells of a honeycomb, you throw open the circulation of foreign commodities over a large extent of country. But the misfortune of the League was, that it adopted for its general tariff the high tariff of Prussia, and so far it was injurious to British interests. The tariff, at that time, of some of the other States was much lower than the tariff of Prussia; but it was the latter which the League adopted. One of the points of commercial intercourse which it was important to keep open was the free city of Frankfort; and it was thought that if it could be kept out of the union, it would become a convenient depôt for British commodities, and facilitate their transmission through Germany; and the Government of Frankfort coincided with this opinion, and sent over an agent to conclude a treaty of commerce, and—I hope the House will not smile—one also of navigation, for although no seaborne ship could approach Frankfort, still the British flag might by chance reach its waters. Well, we willingly acceded to the proposal, and the treaty was concluded. It was, however, found to be no defence against the influence of the restrictive circle with which Frankfort was surrounded; and after some lapse of time the Government of Frankfort sent another envoy, urging the British Government to consent to rescinding the treaty, when, finding that there was no earthly use, either to us or to Frankfort, in keeping up the treaty, we willingly consented to release them from its obligations, which constituted the bar to Frankfort joining, as it was compelled to do, the League. This is the history of the commercial treaty with Frankfort—this was the way in which it begun and ended; and I think that we exercised a sound discretion in the one case as in the other. Well, then comes the clause of the hon. Member's Motion which requires returns—

> "Of all correspondence on the subject of the appointment of the right hon. Sir Stratford Canning to be the British Ambassador at the Court of St. Petersburgh, and the causes of the said appointment being rescinded, and of the late Earl of Durham being appointed to the same post in his stead."

On this point the hon. Member has made some considerable mistakes. He said, that for three or four days I was virtually out of office, in consequence of the displeasure of the late King, excited by my having set aside Sir Stratford Canning before he was objected to by the Court of St. Petersburgh, and by having recommended the late Earl of Durham as a more advisable representative in his room. It often happens that people mistake what they wish for what has happened. When the hon. Member tells me of the intention which existed on the part of the King of removing me from office, I do not know whether he heard it from the hon. Member for Stafford, or from his late Majesty's Private Secretary. I can assure him I heard the information for the first time, and that I slept unconscious of the danger, although now fully awakened to it, just as people start to see in the day the gulf which they have crossed by a single plank at night. The facts connected with the two appointments are simply these. When we came into office in 1830, Lord Heytesbury was British Ambassador at St. Petersburgh. Having a high opinion of the diplomatic talent and extremely conciliatory manners of the noble Lord, it was my wish, and that of my Colleagues, that he could be prevailed upon to remain notwithstanding the change of Government. The noble Lord consented, and for some time remained there, until the state of his health compelled him to retire, when it became necessary to choose another Ambassador. I, therefore, recommended to the King Sir Stratford Canning as a proper person for the office; and His Majesty being pleased graciously to approve of him, he was named Ambassador to the Court of Russia. It is well known, and therefore I have no difficulty in mentioning it, that objections resting on unfounded prejudices, and without any distinct ground having been ever found for them, were entertained by the Emperor toward Sir Stratford Canning, and we were informed he would not be received at that time by the Court. It would of course have been very unwise on the part of the British Government to have endeavoured to force Sir Stratford Canning on the Emperor of Russia as a representative, when he, rightly or wrongly, said he would not receive him at his Court; and Sir Stratford Canning accordingly did not go to Russia. From October, 1832, to November, 1834, no Ambassador was sent to Russia. The British Government said they did not think it prudent to send an Ambassador who would not be received, having no power to force him on the Court; but as they did not think the objections well founded, they would not appear to acquiesce in them by sending another person; and consequently there was only a Chargé d'Affaires at St. Petersburgh during the period in question. At the end of this time our Government went out, and were succeeded by that of the Duke of Wellington and Sir Robert Peel. That Government took a different view of the matter from us, and thought the Emperor of Russia had a right, as an independent Sovereign, to make objections to our representative. They consequently, without at all undervaluing the services or merits of Sir Stratford Canning, or acquiescing in those objections, advised the King to appoint Lord Londonderry as Ambassador; and his nomination was made public, and communicated to the Russian Government. This step at once precluded the British Government from referring back to the point of etiquette in future. It is well known the mission of Lord Londonderry did not actually take place, as the Government which appointed him went out, and that of Lord Melbourne came in. In this state of things it would have been perfectly absurd and untenable for the Government to go back to the ground they had occupied in 1832, because it had been waved by the Crown of England already, and we had nothing to do, therefore, but to select some other person to go in the room of Lord Londonderry. We selected Lord Durham for that purpose; and I think there was no one who by the liberality of his opinions, by the manliness of his character, by his steady adherence to the principles he believed to be just, and by his regard for the honour of the empire, was less likely to betray his trust, or neglect the interests of his country. I am, therefore, at a loss to know of what nature the danger was which, according to the hon. Member for four days hung over me. Two years and a half intervened between the time of the objections to Sir S. Canning and the appointment of Lord Durham; and I cannot undertake to say in what precise part of this period this unknown danger was impending. The next paragraph of the Motion is for copies—

> "Of all correspondence from the year 1830, inclusive, relating to the violation by the Czar of Russia of commercial or other rights in Poland previously enjoyed by Great Britain."

Let us take the whole Polish question at once, for that is really what the hon. Member means by this part of the Motion. I am not aware of any commercial rights enjoyed by Great Britain which have been much affected in Poland by any changes that have taken place. Nor do I recollect any commercial rights which have been affected, except those of individuals, which might in some degree have been so by changes in the tariff. The charge made by the hon. Member is in effect this—that when the Polish revolution broke out in 1835, England, in conjunction with France, should have taken up arms in favour of the Poles, but she did not do so; that she abandoned France in her attempt, and thus deprived the Poles of their independence; and finally—and here the hon. Member made an assertion I was astonished to hear—that we prevented Austria uniting with France and England for the same object. [Mr. ANSTEY: I said, Austria was ready to have joined with us if we had acted differently.] Well, then, the hon. Member says we baulked the readiness of Austria to interpose in favour of the Poles, when we had many reasons to adopt a different course. This question has been so often discussed that I can only repeat what I have said in former Parliaments. It is well known that when we came into office in 1830 Europe was in a state which, in the opinion of any impartial man, and of the best political judges, threatened to break out into a general war. I remember being told by a right hon. Gentleman in the course of a private conversation in the House, that "if an angel came down from heaven to write my despatches, I could not prevent Europe from a war in six months." Well, Sir, not months, but years, rolled by, and no war took place. It was the anxious desire of the Government of Earl Grey to prevent war; and the maintenance of peace was one of the objects at which they expressly aimed, and succeeded. What were the dangers which threatened the peace of Europe? There had just been a great revolution in France—there had been another in Belgium, and these had been followed by a great rising of the Poles against the sway of Russia. In these struggles there was a conflict of principle as well as one of political relations. There was the popular principle in France, in Belgium, and in Poland, to be resisted by the monarchical principle of Austria, of Russia, and of Prussia. The danger apprehended in 1831 was, that these three Powers should attempt by a hostile attack to control France in the exercise of her judgment with respect to who should be her Sovereign, or what should be her constitution. The British Government, under the Duke of Wellington, with the most laudable regard for the public interests, not only of England but of Europe, hastened to acknowledge the new Sovereign of France, and to withdraw their country from the ranks of any confederacy against her; and this conduct laid the foundation of that peace which it was our duty to maintain and cultivate. The great anxiety of England was that peace should be maintained. There was no doubt great sympathy with the Poles in their contest against Russia; and it was thought there was a chance of their succeeding in their attempt. The result, however, was different; but then it was said by the hon. Member, "Oh, it is the fault of England that she did not establish the independence of Poland. If she had joined with France and Austria (which now for the first time I am told was anxious to favour the cause of Poland), the Poles would have been in full enjoyment of their constitutional freedom." The hon. Gentleman actually said that Austria, in 1831, was in favour of the Poles, who were closely pressed by the Russians and Prussians, who had already got possession of Militsch, and felt, if the kingdom of Poland were independent, the chances were that she (Militsch) would rise also to assert her liberties. This statement is excessively extraordinary. I am quite surprised even that the hon. Member for Youghal should have made it. I will tell him what was passing in his mind when he said so, and what led him to make this statement; for I am at least desirous of giving a rational solution to it, as far as I can, under his correction. The fact of which he was probably thinking was this:—In 1814, when the issue of the war between Napoleon and the other Powers of Europe was doubtful, a treaty, of which part has been made public, was signed at Reichenbach between Austria, Russia, and Prussia, for the entire partition of Poland between them, in the event of their success against France. The effect of this treaty would have been to extinguish the name of Poland as a separate and independent element of European geography. In 1813, after Napoleon had been repulsed from Russia, and the war had retired to the westward of Germany and of Europe, where shortly after it was brought to a close, discussions took place at Vienna as to what should be done with Poland. Austria called for the execution of the compact, and, with England, demanded that either the Treaty of Reichenback should be completely carried out, and Poland divided equally into three parts for each of the contracting parties, or that she should be reconstructed and made anew into a substantive State between the Three Powers. Russia was of a different opinion, and contended not for the execution of the Treaty of Reichenbach, but for the arrangement which was subsequently carried into effect — namely, that the greater part of Poland was to be made into a kingdom and annexed to her Crown, and that the remaining parts should be divided between the two other States. After a great deal of discussion the Treaty of Reichenbach was set aside, and the arrangements of the Treaty of Vienna were made. I suppose this is what led the hon. Member to his statement, that Austria would join with us, because in 1814 she was favourable to the re-establishment of Poland as a separate kingdom, as one alternative in contradiction to her partition; for any other ground than this I cannot conceive for his assertion. If Austria were favourable to the Polish insurrection subsequently, I can only say that it is a fact as unknown to me as was the existence of the four days of danger, and I am inclined to place both assertions on the same foundation. The interest of Austria was in fact quite different; and it was owing to her feeling respecting Poland, that the Russians ultimately succeeded in crushing the insurrection. But then, says the hon. and learned Member, you should have accepted the offers of France. I have often argued the question before, and what I said before I say again. If France had gone to the extent of proposing to England to join with her against Russia, this would have been nothing more nor less than the offer of a war in Europe, which, as our great object was to keep down such a war, we should never have thought of accepting. It would have been a war, without the chance of anything but a war; for let us look to the position of the kingdom of Poland—let us consider that it was surrounded by Austria, by Russia, and by Prussia—that there was a large Russian army actually in Poland, and that there was a Prussian army on her frontiers; and we shall at once see that at the very first intimation that England was about to take up arms with France for the independence of Poland, the three armies would have fallen on the Poles—the insurrection would have been crushed, the spark of Polish independence extinguished, and all this having been done, the Three Powers would have marched their armies to the Rhine, and said, "We shall now make France and England answer for their conduct." This course would have been sure to involve the country in a Continental war, for a purpose which would be defeated before the war could be terminated. But, says the hon. Member, you have very powerful allies, who would have assisted you. France is a large military power, capable of great efforts. Then you have Sweden, too, burning with desire to break a lance with Russia on the question of Polish independence. What man in his sober senses, even if Sweden made such a proposition, and were ready to join us against Russia, would not have said, "For God's sake, remain quiet and do nothing?" [Mr. ANSTEY: I said, that Sweden was arming her fleet, with the intention of making a demonstration against the Russian provinces in the Baltic; but the noble Lord remonstrated with Sweden for doing so, and induced her to disarm.] Well, there is not much difference between us. I do not think a demonstration by a Swedish fleet on the shores of the Baltic would have been long maintained without a corresponding demonstration of the Russian fleet in Cronstadt, and it is pretty clear which of them would go to the wall; and then we should have had to defend Sweden against Russian attack; and unless we had been prepared to send a large army to her aid, we should have sacrificed her to no purpose. I say, Sir, the man with the interests of Russia most dearly at his heart, could have done nothing better for Russia than stimulate Sweden into a dispute with Russia, by inducing her to make an armed demonstration on her shores, and thus to draw down upon her the vengeance and overwhelming power of that empire. If Sweden had been ready to make such a demonstration with her gunboats on the coast of Russia, and had asked us for our advice, the best thing we could have said would have been, "Don't do anything half so foolish; we are not prepared to send an army and a fleet to defend you, and don't give Russia a cause to attack you." But there was another empire burning with desire to join us against Russia. Turkey, we were told by the hon. and learned Member, with 200,000 cavalry, was ready to carry demonstration to the very walls of St. Petersburgh—perhaps to carry off the Emperor himself from his throne. What was the state of Turkey then? In 1831 she had engaged in a war with Russia, in which, after two campaigns, her arms were repulsed and driven back into their own empire, so that she was compelled at Adrianople to accept conditions of peace—hard in their nature, and demanding a sacrifice of an important part of her territory, but to which she was advised in friendly counsel by the British Ambassador to submit, for fear of having to endure still worse. We are told that, two or three years after this great disaster, Turkey was of such amazing enterprise and courage, and was furnished with such a wonderful quantity of cavalry, that she was prepared to send 200,000 horse (which she never had in all her life) over the frontiers of Russia, and sweep her territory. Now this is, of all the wild dreams that ever crossed the mind of man, one of the most unlikely and extraordinary. But supposing all this had been true, and that Turkey really was prepared to do all the hon. and learned Gentleman said she was, I should have given her just the same advice that I should have offered Sweden under the same circumstances, and should have said, "Have you not been beaten enough? Are you mad? Do you want the Russians to get Constantinople instead of Adrianople? Will nothing satisfy you? We cannot come and defend you against your powerful neighbour. She is on your frontiers, and do not give her any just cause for attacking you." Then the hon. and learned Gentleman told us of the Schah of Persia—how the gunboats of Sweden, the troops of Austria, the fine cavalry of Turkey, the magnificent disciplined legions of Persia, were ready all to pour in upon Russia in revenge for the injuries which the inhabitants of the Baltic coasts inflicted upon Europe in former centuries, and would have stripped Russia of her finest provinces. Now, what had happened to Persia? In 1827, she had very foolishly and thoughlessly, against advice, rushed into a conflict with Russia, and had seen herself reduced to make a treaty, not only surrendering important provinces, but giving Russia the advantage of hoisting her flag in the Caspian. She had gone to war with a powerful antagonist, and been compelled to submit to humiliating concessions. Can you suppose that Persia, in that state of things, would have been ready to march against Russia for the sake of assisting Poland? In the disastrous struggle which ensued, Poland was overthrown;

the suspension of its constitution followed, and the substitution of what was called the "organic statute." The Russian Government pronounced that civil war had abrogated it, and they re-entered Poland as conquerors. I am not asserting the justice of that, but the contrary; we always maintained a different view. I need not remind the House how deep a sympathy the sufferings of Poland excited in this country. Many things have passed in Poland since that time which the British Government greatly regrets, and in respect to which the rights laid down by treaty have been violated. But when we are asked why the British Government have not enforced treaty rights in every case, my answer is, that the only method of enforcing them would have been by methods of hostility; and that I do not think those questions were questions of sufficient magnitude in their bearing on the interests of England, to justify any Government in calling on the people of this country to encounter the burdens and hazards of war for the purpose of maintaining those opinions. Then comes the question of Cracow. I deny the justice of the reproach which the hon. Member has directed against me on that head, of an infraction of the just requirements of good faith. It is perfectly true, that in a discussion in this House we stated our intention of sending a Consul to Cracow; but we were not at that time aware of all the objections entertained to that step by other Powers who had an interest in the question, and who possessed great influence in Cracow. Communications and correspondence took place, not only with them, but with the Cracovian authorities, and we were plainly told, that if our Consul went to Cracow he would not be received. What were we to do under those circumstances? The Government of Cracow, though nominally independent, was practically under the control and protection of the three protecting Powers; and whatever they ordered that Government to do, it was plain they would do. It therefore became the Government to consider whether there really was any cause for the presence of a British Consul at Cracow, which was of sufficient importance to make it worth while to insist on his presence, at the risk of not obtaining the end. We should then have been exposed to an affront from the miserable little Government at Cracow, not acting on its own responsibility, towards whom nothing could have been directed in vindication of the honour of the British Crown; and our only course would have been a rupture with the Three Powers, after we had been warned of the rejection of our Consul. Well, then, considering the importance attached in this country, not merely to peace, but to a really good understanding with foreign Powers, wherever there are great interests and powerful motives to amity which would be violated by hostilities, I thought the best course would be to abandon the intention we had entertained, and which we had announced in the discussion in this House. It does not follow, when a Minister announces in Parliament an intention to perform a public act, that it is to be considered like a promise made to an individual, or by one private man to another, and that it is to be made a reproach to him if the intention be not carried out. We are here responsible to the country for the advice we give to the Crown. We are responsible for all the consequences which that advice may bring on the country. We are not dealing with our own affairs; it is not a question of what we may do with our private property; but when a Minister finds he cannot do a particular act without compromising the interests of the country, and that these will suffer from his executing his intention, it is his duty to give up that intention, and to consult the interests of the country in preference to every other consideration. That is the history of the Consul who was to have been at Cracow. We have been asked to produce the correspondence relating to the transaction; and I do not know that there would be any particular objection to doing so. It consists of angry notes on one side and the other, and I cannot think we should be promoting a good understanding with the Three Powers by producing it; but as far as concerns its being a record of anything I have done, or have not done, I have no objection. The hon. Member asks for all the correspondence which may have passed from the year 1835 downwards on the subject of the Russian fleet in commission in the Baltic. I do not recollect that any particular communications took place on this subject between the British Government on the one hand, and those of Russia or France on the other. Of course, it is utterly impossible for a Power which, like England, depends mainly for its security on its naval defence, not to watch with attentive anxiety the armaments or the state of naval preparation which from time to time may exist in other great countries.

Therefore our attention may, no doubt, have been more or less directed, especially when questions of great difficulty and delicacy have been pending between Russia and England, and a state of mutual distrust to some extent existed, towards the naval footing of Russia both in the Baltic and Black Sea. Of course, also, though I do not particularly recollect the circumstance as having happened in 1835 or 1836, the immense amount of naval preparation in France must always form an element in the consideration of the Government of this country, in taking into account the means which England must possess to maintain its station amongst the empires of the world. I have now gone through all the points embraced in the speech of the hon. Member. I have gone through, as far as memory and time permitted, the principal topics on which he touched. It was only last night I was able to put together the observations I have ventured to offer to the House. I have taken them in the order he stated them in the Motion of which he gave notice. Upon the general character of my public conduct I can only repeat what I said when last I had the honour to address this House. I can only say, if any one in this House should think fit to make an inquiry into the whole of my political conduct, both as recorded in official documents, or in private letters and correspondence, there is nothing which I would not most willingly submit to the inspection of any reasonable man in this House. I will add, that I am conscious of none of those offences which have been charged against me by the hon. and learned Member. I am conscious that, during the time for which I have had the honour to direct the foreign relations of this country, I have devoted to them all the energies which I possess. Other men might have acted, no doubt, with more ability—none could have acted with a more entire devotion both of their time and faculties. The principle on which I have thought the foreign affairs of this country ought to be conducted is, the principle of maintaining peace and friendly understanding with all nations, as long as it was possible to do so consistently with a due regard to the interests, the honour, and the dignity of this country. My endeavours have been to preserve peace. All the Governments of which I have had the honour to be a Member have succeeded in accomplishing that object. The main charges brought against me are, that I did not involve this country in perpetual quarrels from one end of the globe to the other. There is no country that has been named, from the United States to the empire of China, with respect to which part of the hon. Member's charge has not been, that we have refrained from taking steps that might have plunged us into conflict with one or more of these Powers. On these occasions we have been supported by the opinion and approbation of Parliament and the public. We have endeavoured to extend the commercial relations of the country, or to place them where extension was not required, on a firmer basis, and upon a footing of greater security. Surely in that respect we have not judged amiss, nor deserved the censure of the country; on the contrary, I think we have done good service. I hold with respect to alliances, that England is a Power sufficiently strong, sufficiently powerful, to steer her own course, and not to tie herself as an unnecessary appendage to the policy of any other Government. I hold that the real policy of England—apart from questions which involve her own particular interests, political or commercial—is to be the champion of justice and right; pursuing that course with moderation and prudence, not becoming the Quixote of the world, but giving the weight of her moral sanction and support wherever she thinks that justice is, and wherever she thinks that wrong has been done. Sir, in pursuing that course, and in pursuing the more limited direction of our own particular interests, my conviction is, that as long as England keeps herself in the right—as long as she wishes to permit no injustice—as long as she wishes to countenance no wrong—as long as she labours at legislative interests of her own—and as long as she sympathises with right and justice, she never will find herself altogether alone. She is sure to find some other State, of sufficient power, influence, and weight, to support and aid her in the course she may think fit to pursue. Therefore I say that it is a narrow policy to suppose that this country or that is to be marked out as the eternal ally or the perpetual enemy of England. We have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow. When we find other countries marching in the same course, and pursuing the same objects as ourselves, we consider them as our friends, and we think for the moment that we are on the most cordial footing; when we find other countries that take a different view, and thwart us in the object we pursue, it is our duty to make allowance for the different manner in which they may follow out the same objects. It is our duty not to pass too harsh a judgment upon others, because they do not exactly see things in the same light as we see; and it is our duty not lightly to engage this country in the frightful responsibilities of war, because from time to time we may find this or that Power disinclined to concur with us in matters where their opinion and ours may fairly differ. That has been, as far as my faculties have allowed me to act upon it, the guiding principle of my conduct. And if I might be allowed to express in one sentence the principle which I think ought to guide an English Minister, I would adopt the expression of Canning, and say that with every British Minister the interests of England ought to be the shibboleth of his policy.

Lord DUDLEY STUART presented himself to the House, amidst loud cries of "Divide!" and said, that as he rose for the purpose of doing what was equivalent to adjourning the debate, perhaps the best course he could take was to move it. ["No, no!"]

Mr. SPEAKER having put the question amidst cries of "No!" and "Divide!"

Lord DUDLEY STUART said, that he should divide the House.—But as the minute-hand of the clock now pointed exactly to Six,

Mr. SPEAKER said: It is not competent for the noble Lord to divide.

House adjourned, it being Six o'clock.

HOUSE OF LORDS,

Thursday, March 2, 1848.

Minutes.] *Took the Oaths.*—Viscount Bolingbroke.
Public Bills.—2^{a} Consolidated Fund.
Reported.—New Zealand Government.
Petitions Presented. From Clerks and others employed in Workhouses, for a Superannuation Allowance to Meritorious Officers.—From South Newington, and other Places, for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—By the Earl of Devon, from Shipowners of St. Ives, for Inquiry into the Policy of the Navigation Laws before any Alteration is made in them.—From Aberdeen, for Alteration of the Excise Laws.—From Schoolmasters of Ellon, complaining of the Inadequacy of their Remuneration.—From Alton, against any Increase in the Income Tax.—From Grahamston, for the Removal of Jewish Disabilities.

HOUSE OF COMMONS,

Thursday, March 2, 1848.

Minutes.] Petitions Presented. By Mr. Cowan, from Members of the Anti-Bribery Society, for Alteration of Law regulating Elections.—By Mr. W. Evans, from David Boswell Reid, for the Production of certain Correspondence relating to the New Houses of Parliament.—By Mr. Horsman, from Hull, for Amendment of the Church Endowment Act.—By several Hon. Members, from various Places, for and against the Jewish Disabilities Bill.—By Mr. Harry Waddington, from Suffolk, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Sir G. Strickland, from Lancashire, in favour of the Roman Catholic Relief Bill.—By Sir T. Birch, and Mr. P. Miles, from Merchants and Freeholders of the Island of Jamaica, for Consideration of the West India Colonies.—By Mr. Barkly, from Hereford, Mr. Greenall, from Lancaster, and Sir A. Hood, from Somerset, for Repeal of the Duty on Attorneys' Certificates.—By Mr. E. Ellice, from Scotland, for Inquiry respecting the Excise Laws.—By Mr. Duncan, from Dundee, for Reduction of the Lighthouse Dues.—By Viscount Ebrington, from Plymouth and Devonport, for Inquiry respecting the Malt Duties.—By Mr. Cowan, from Edinburgh, against Continuing the Property Tax.—By Mr. A. Hastie, from Glasgow, for Revision of the Stamp Duties.—By Mr. Muntz, from Birmingham, for Repeal of the Window Duty.—By Mr. Scott, from Berwick, for Alteration of Law regulating Banking.—By Mr. Heywood, and Mr. Pilkington, from Beersellers of several places, for placing them on the same Footing as Licensed Victuallers.—By Mr. Cardwell, from several Places, respecting the Court of Chancery.—By Mr. Baines, from Yorkshire, for Alteration of the Courts of Special and Petty Sessions Bill.—By Mr. A. Hastie, from Glasgow, against the Diplomatic Relations, Court of Rome, Bill.—By Mr. G. Hamilton, from several Places, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Forbes, from Stirlingshire, for Repeal of the Game Laws.—By several Hon. Members, from various Places, for Sanitary Regulations.—By Mr. S Crawford, from James Charles Mulligan, against the Landlord and Tenant (Ireland) Bill.—By Dr. Bowring, from Bolton-le-Moors, for Alteration of Law affecting the National Land Company.—By Mr. Bramston, from Epping, against, and by several Hon. Members, from various Places, in favour of Retrenchment of the Naval and Military Expenditure.—By Mr. Robinson, from Shipowners, Anchor Smiths, Mast and Block Makers, and Sail Makers of London, against the Repeal of the Navigation Laws.—By Mr. Bourke, from Kells Board of Guardians, for Inquiry respecting the Poor Law (Ireland).—By Mr. S. Adair, from Cambridge, for Alteration of Poor Removal Bill.—By the Earl of Lincoln, from Linlithgow, for Alteration of Law regulating Prisons (Scotland).—By Mr. Beckett, from Leeds, against, and by Mr. Mackinnon, from Metropolitan Health of Towns Association, in favour, of the Public Health Bill.—By Mr. Divett, from Exeter, for Abolition of the Punishment of Death.—By Viscount Drumlanrig, from Penpont, and Mr. E. Ellice, from Cupar, for Ameliorating the Condition of Schoolmasters (Scotland).—By Mr. Greenall, from Warrington, for a Union Settlement.—From Auchtermuchty, Earlsferry, and Kirkcaldy, for Inquiry respecting Turnpike Roads (Scotland).

POOR LAWS.

Mr. SHAFTO ADAIR inquired whether it was the intention of Her Majesty's Government to make any alteration in the law with respect to the relief of the casual poor?

Mr. C. BULLER was glad that his hon. Friend had put the question. The subject was one which had frequently been brought under his notice by complaints from all parts of the country. Where a union workhouse was situated in one parish, and the relieving officer resided in another, all casual persons applying to that relieving officer for relief were thrown upon that particular union in which the officer resided. This appeared to be a great evil; but he was not prepared at the present moment to say what the intentions of Her Majesty's Government were, because he had not brought the subject formally under their consideration. It was a question which involved the law of union rating and the law of settlement, and he hoped it would be in his power to separate the two questions, and to devise some remedy for the evil complained of. An opportunity for doing that would occur this Session, when the Act called Mr. Bodkin's Act would expire.

THE ISLE OF MAN.

DR. BOWRING, who appeared to be suffering from indisposition, and was very imperfectly heard in the gallery, called the attention of the House to the grievances suffered by the inhabitants of the Isle of Man. The cardinal grievance of which the Manx people complained was the constitution of their legislative assembly, which was self-elected and irresponsible. Their system of laws mixed together the legislative and judicial functions. The men who made the laws also administered them; and the consequence was, a growing and necessary feeling of discontent amongst the population. The House of Keys was the court of appeal from the subordinate tribunals, and many members of the House of Keys practised as advocates in the court below. In the Deemster's courts there was no code of reference and no statute-books. The Deemster acted on the *lex non scripta*, or breast law, as it was styled in the island; and the inhabitants were of course painfully sensible that they were at the mercy of the judge's caprice. Furthermore, the Manx people — 50,000 in number — having no municipal institutions and no representation, were denied the commonest rights of civilisation and citizenship, such as were conceded even to the savages of New Zealand. The influence of the Executive Council and the House of Keys necessarily curbed and controlled public opinion; and in this respect, as in all others, the operation of those irresponsible, self-elected bodies was highly injurious. The recent relaxation of the commercial code had been attended with the happiest results in the Isle of Man. In the case of every article on which the duty had been reduced, there had been an enormous increase of consumption. What he wished the Government to do was, to carry out that commercial policy, and also to reform the judicial and legislative institutions of the island. He did not wish that the immemorial institutions of the island should be wholly overthrown, for he was aware that there were some of them to which the Manx people were fondly attached; but he was conscious that they should be conformed to the spirit of the times, and the requirements of the age. Above all, he was desirous that the common rights of citizenship should not be denied to them, but that, on the contrary, the general benefits of the representative system should be ensured to them, and the power of nominating those who were to impose their taxes. The hon. and learned Member concluded by moving an address to Her Majesty, praying that a Commission be issued to inquire into and report on the privations endured by the inhabitants of the Isle of Man.

SIR G. GREY was not prepared to deny that there were many matters connected with the present state of affairs in the Isle of Man which ought to be inquired into, and he was quite willing that inquiry should be instituted. That, he believed, was the main object of the Motion, and he had already done something to further it. He had instituted a correspondence with the Governor and other authorities of the island, and had stated his view, which was, that a complete remedy for the evils complained of was to be found, not in a separate legislature for a small island within a few hours' sail of the British coast, but, on the contrary, in the complete incorporation of the Isle of Man with the United Kingdom. Such of the inhabitants, however, as had memorialised that House, were in favour of separate legislative functions, which would, no doubt, produce great abuses. He thought it very reasonable, however, that there should be a representative body in the island, to regulate the repairs of highways and other local matters of that description. In conclusion, he begged to express a hope that the hon. Gentleman would not press his Motion.

SIR R. H. INGLIS hoped that those hon. Gentleman who called themselves the real friends of the Isle of Man would take warning by the allusion in the earlier part of the speech of the right hon. Gentleman the Secretary of State for the Home Department with respect to its annexation to England. It might be annexed to Lancashire, or to the county of Dublin, or to Dumfries; and let hon. Gentlemen consider whether that intimation of the right hon. Gentleman the Home Secretary might not, if realised, place the people of the island in a position infinitely worse than at present. They were now lightly taxed; they had the form at least of a representative government, the laws were those under which their forefathers lived for centuries, and they would feel the burden of taxation which would be put on them, even if their island were united to that region on which the income-tax had not been imposed. He asked whether, under those circumstances, they were likely to be as well off as they were at present?

Motion withdrawn.

AFFAIRS OF GREECE.

Mr. B. COCHRANE thought he might fairly venture to entertain the hope that when the House had done him the honour of hearing the case which he should submit to its consideration, they would think him justified in claiming their attention for a short period, even at a time of so great general interest and excitement as the present. He did not think that any time could be more apposite; because at a moment when every nation was awakening from its long slumber, and asserting those principles of freedom which are so greatly advantageous when they do not overleap the bounds of moderation, he thought that the representatives of a country which had so long enjoyed the blessings of which other nations had been deprived, would not hesitate upon the present occasion to cast their protection around the weak, and to express their indignation at wanton cruelties and acts of hideous oppression practised on an unoffending people, whose interests we were solemnly bound to protect. He said it advisedly, "whose interests we were solemnly bound to protect;" and as some hon. Members might not have turned their attention to this subject, he would in a few words explain the position in which we stood towards that country. In 1827, a treaty was signed between England, France, and Russia, for the pacification, or rather for the liberation, of Greece; it was called the Treaty of London, and became the foundation of all our subsequent policy. This treaty, as the House might know, was followed by the battle of Navarino. In 1830, the crown of Greece was offered by the Three Powers, and under the assent of the Greek people, to Prince Leopold, who, in the first instance, accepted it, but, influenced by the crafty counsels of interested parties, subsequently rejected it on the plea that the Greeks had not been sufficiently consulted in their choice of a Sovereign. After many conferences and much hesitation, the Powers ultimately fixed on the present King, Prince Otho of Bavaria, then a boy of fifteen or sixteen, who was immediately accepted by the Greeks under certain conditions, which were ratified and confirmed by the King in his name. The most important of these conditions were, first, that the Greeks were to have a free constitution; and, secondly, that the Three Powers were to advance 2,400,000*l.*, in equal proportions, to the infant State, the interest and principal of which to be paid out of its first revenues. It was almost unnecessary for him to inform the House, that, except at rare intervals, we had never been paid even the interest upon our portion—viz., 800,000*l.*, for which we are now annually liable; but what was of far greater importance, the whole stipulations respecting the constitution were grossly violated. But in September, 1844, a great constitutional movement took place; the demand for free institutions was re-echoed from one end of the country to the other. The Throne was preserved, and the constitution was granted. Every one will remember how firm was the attitude—how gallant the bearing—how generous the conduct—how consumate the prudence of the Greek nation during these great events. Testimony was borne to the merits they had displayed in a despatch of Lord Aberdeen, to Sir Edmund Lyons, dated April 7, 1844:—

> "Sir—Her Majesty's Government have learnt with the greatest satisfaction, by your despatches of the 30th ult, the termination of the labours of the constituent assembly, and the final and solemn acceptance by the King of the ratification of the constitution. They have viewed with no less satisfaction the admirable temper which appears to have generally prevailed in the constituent assembly, throughout the whole of their deliberations on the deeply interesting and important act on which they have been engaged. Such self-command in a popular assembly, convoked under very exciting and critical circumstances, is highly creditable to the Greek nation. Nor is the result of their labours, as a whole, less entitled to credit for the general soundness of the constitutional principles therein established."

Since 1844, I may say (the hon. Member continued) that every principle of free and constitutional government has been violated; that the word of promise broken in the hope has not even been kept to the ear. Even within a few months of these remarkable events, the laws were openly set at defiance by the very persons who enacted them. Corruption, brigandage, torture, and rapine have stalked through the country. The revenue is diminishing, and the expenditure increasing; and wherever there may be any slight development of the industry of the country, it is accomplished in spite of the Government. Sir, I make these assertions boldly; and in order to prove them, I will make use of no document which has not been fully authenticated. I will bring to certify the facts which I have stated the testimony of officers in the employment of the Government; and I think I shall be able to show such scenes of corruption and horror, that even the most apathetic on questions of foreign policy will feel that I am justified in submitting them to their consideration. And, first, I will refer to the financial state of the country, in which this House is more immediately interested, for I hold in my hand the account of 47,188*l.*, issued out of the Consolidated Fund, for payment of the interest and sinking fund, which was guaranteed by this country. Of this sum, 23,000*l.* was last year repaid, not by the Greek Government, but by a gentleman well known and universally esteemed, I mean M. Eynard. There can be no testimony so important, so unquestionable as that of M. Eynard, who was the great friend of the late Administration, and received the personal acknowledgments of the King for his attachments to Greece. M. Eynard, in a letter addressed some time last year to the late President of the Council, points out to him the gross malversations of office practised in Greece. The late Minister of Finance came down and informed the House that the treasury department was in a complete state of disorganisation; that there were no accounts of revenue or expenditure, and that he could not furnish anything in the shape of a budget, on account of the dishonesty of the public functionaries; that millions were due to the State, and he did not know from whom. On February 18, 1846, the Exchequer of the country possessed considerable resources in the loan, and yet the condition of the people has never been ameliorated; they are in a wretched state. Imagine, Sir, that the Minister of Finance cannot obtain any knowledge of the state of the country—that he is entirely ignorant of its resources; you may therefore judge what must be the state of the revenue: in these few words I have proved to you in what ignorance he had been kept during the short period of his administration. And the same most honest Chancellor of the Exchequer said, only a few weeks since—

> "I cannot conceal from you any longer the truth; the robbery of the public treasury has surpassed all measure, and is carried on with an insane imprudence; but is this the fault of the Minister? If each *employé* steals a small portion of the revenue, the diminution must naturally become considerable. Things have arrived at such a pitch that it is impossible for the Financial Minister to put an end to the abuses."

But this is not all. This illustrious financier stated to the Three Powers on one occasion that, owing to the enormous deficit, it was quite impossible for him to meet the interest of the loan for the current year. When attacked for this state of the revenue in the Chamber of Deputies, he excused himself by saying it was quite a mistake, there was a small surplus, but that he had thought it best to falsify the public accounts, in order to prevent the Three Powers demanding payment. But in case the statements of this Chancellor of the Exchequer should seem incredible to the House, they are authenticated by the following documents. The Governor of Acarnania writes to the President of the Council:—

> "The Minister will permit me to remark that, having been informed of the wretched condition of the public revenue, and of the more strange and unaccountable conduct of the Minister of Finance, in matters of the greatest moment, it was his duty to have directed an examination into the conduct of the officer, and at least to have paid some attention to the strong expressions of public opinion. That opinion denounces the present Administration, and the facts support the accusation that they have allowed their *employés* to pillage the State, and have inflicted incalculable evil upon the country, notwithstanding the fertility of the season."

It will scarcely be credited that in reply to these and numerous similar remonstrances, M. Coletti, President of the Council, made the following statement:—

> "Abuses had always existed, and the only difference between abuses past and present, was, that formerly they were the monopoly of a few privileged persons, but that now they afforded some hundreds the means of subsistence; that the mismanagement of the loan, and the extravagance of the Regency, was the cause of this financial embarrassment; if there existed great disorder in the administration, it had always been the same."

I will now pass from the financial part to the brigandage which prevails, and will, with the permission of the House, read a statement of the conduct of a man called Trino, who has for a long time been in the service of the Government. I can assure the House that, incredible as they may appear, I have taken the pains to fully authenticate all the statements, and can vouch for their accuracy. They occurred very recently:—

"On the 4th of November last, Trino was at a village called Rerasova, with a body of armed men, nearly 300 in number, at which place they took up their quarters; he summoned all the principal inhabitants, and those of the neighbouring villages, and, binding them with cords, as if they were robbers and assassins, he thrust them, by way of imprisoning them, into vile, filthy stables; this was on the plea that he wished to discover some brigands who were concealed. Trino then caught a wild cat, and put it into the trousers of the wife of one of the principal inhabitants. He himself beat the cat, that it might jump about, tearing the unhappy woman to pieces; and he only set her at liberty, when, from extreme torture, she made a false confession, stating everything that Trino prompted her to say. On the strength of this confession he took the men out of prison, first bound their hands and feet tightly, and then tied their hands down to their feet, thus making a sort of bow of their bodies, and he kept them in that position several hours. The next day Trino took two of the men to a lake in the neighbourhood; he caused two blocks to be lashed to the tops of two of the highest trees, and with a running cord hoisted them up and let them down several times into the water, and when they had quite lost their senses he had them dragged on shore. After some time he said, 'Poor fellows! I am afraid they are cold, we must warm them a little.' This he accomplished by flogging them most unmercifully, when they were afterwards taken back to prison. After these feats he stalked about the town, exclaiming 'You wanted a constitution, my fine fellows! You are nice fellows for a constitution. Well, now you have got it. I hope you will like it, for you have seen some of the blessings of it!' This illustrious officer on one occasion sent a present of two heads in a basket to the Monarch of Acarnania and Etolia."

A petition presented from Patras, authenticated by all the leading inhabitants, states—

"The members of the family Dimeoi arrested by the Mirarque (the Government officer) were subjected to the torture for three days, and all their effects sold. Demetri Nicalocopulo, accused of an insignificant robbery three years ago, was put to the torture, and expired soon after."

This unhappy man was denounced to the Mirarque as having stolen a cow three years since; the Mirarque ordered an ordeal by torture; the gendarmes bound him hand and foot, threw him down, and placed enormous stones on his breast and stomach, and then jumped upon them. In the last extremity, and in the hope of saving his life, he pleaded guilty, but it was too late; when the stones were removed he died; his young wife, who was on the eve of her confinement, was carried to the grave a few days afterwards. I translate parts of the petition from Messenia, but the tortures practised on the women will not bear description: in these cases the atrocity of the crime is the security of the criminal:—

"Sire, fifty citizens, dragged without excuse, from the bosom of their families, and thrown into a damp and loathsome dungeon, deploring their loss of liberty, that last worldly blessing, cast themselves on your mercy. Sire, the tortures we have undergone, are unheard of and horrible; some of us suspended by the feet, others with their legs and arms bound, are laid upon the ground and blocks of stone placed on their chests, their flesh torn and limbs mutilated. * * * * A robbery had been committed in our village in the month of October; on the 22nd of November, D. Saulis, lieutenant des garde frontières, at the head of a detachment of soldiers, and without any instructions from the magistrates, desired them to seize eighty of us, and throw us into the cellar of a house of a priest named Papajanopulos. Not obtaining any information, notwithstanding all the violence, some were released, and the others conducted to their respective houses, where the most horrible tortures were inflicted upon us during the nights of the 22nd and 23rd; then, not having succeeded in making us admit ourselves guilty we were taken to a lonely spot, named Divari, thrown down, bound, and gagged, with enormous stones heaped upon us; when we lay at the point of death, the stones were removed and we were set at liberty. These horrors, Sire, had a far different object to the discovery of a theft; for some time past the garde frontières have endeavoured to push us to acts of despair. But we, Sire, throw ourselves upon your Majesty's protection, imploring, in tears and affliction, the punishment of those persons who have so outraged humanity. We supplicate your Majesty to condescend to take efficacious measures to put a termination to those miseries which oppress your people, by excluding from the public service those persons, who, instead of executing the laws, only substitute fearful tortures; and all these crimes are committed in the name of your Majesty."

At Lamia, on the 26th November last, two gendarmes and three soldiers entered the village of Daitza, where they took and imprisoned the authorities, and then having entered the cottages belonging to two men, Agrosloti Galatopoulo and Christo Tagana, seized the women, whom they treated with a brutality too horrible to describe, and then pillaged the House. It will be observed that these are outrages committed by officers and men in authority, and the instances might be multiplied tenfold; but it is hopeless to attempt to convey any adequate notion of the general disorganisation of the country; and the House must imagine it, after being informed that the Government actually amnestises the brigands; and not this alone, but the captains of banditti are empowered to delegate their authority to those employed under their command. I add one of the certificates:—

> "I, the undersigned, certify upon my conscience, that the bearer of this note served under my orders in all the acts of brigandage which I committed, and that he always distinguished himself by his zeal."

Sir, a friend of my own, M. Bondouri, one of a most illustrious family in Greece, was requested by the Government to give them up his house in Athens; he declined, on which the Government sent the gendarmes. To the gentleman's great astonishment, all his furniture was gone; he went to the window and found that it had been thrown into the middle of the street. I may mention the case of Don Pacitrio. This gentleman's house was broken into in the middle of the day, at Athens, and plundered; the thieves then deliberately broke all the furniture which they could not carry away. And who, it will be asked, was one of the leaders of this depredation? Why, the son of Tzavella, the present Minister of War. Sir, there are innumerable other instances which I might adduce; but I really think that the House will be tired of listening to such atrocities. One word regarding the violation of the constitution, of which the Government have been guilty. It may be known to many Members of this House, that, even under the dominion of the Turks, the Greek nation enjoyed all those admirable municipal institutions which had been transmitted to them from ancient times, and to the confirmation of those privileges the Three Powers, in 1828, attached the greatest importance. Now, under the present Government, these rights have either been entirely destroyed, or only used as instruments of excessive vexation and persecution. To show the good feeling which subsists among the Greek people, I will read one extract from the address of the Senate, recently presented to the King, and which was elicted by the unconstitutional conduct to which I have adverted:—

> "Sire, a long experience has afforded us the most satisfactory conviction that the strict observance of the laws, and the energetic defence of the rights of the nation, have been, and always will be, your Majesty's anxiety; but the facts fully prove that this princely intention has been misunderstood, and that these same rights have not been respected during the elections, which have been followed by very pernicious results. The Senate prays that your Majesty's paternal wisdom and tendencies will afford them relief. The adjustment of our finances is a work on which the honour and the credit of the country depend; and to this subject the Senate will give all its attention. The Senate prays that efficacious means may be taken to limit the expenditure, and to regulate the collection of the revenue, which, for some time past, does not seem to have been capable of a satisfactory explanation."

The King made the following reply to this address, through his Minister, M. Tzavella, the new President of the Council:—

> "His Majesty having understood that the address voted by the Senate interferes with those rights which exclusively belong to the other legislative body, has charged me to announce to you, that protecting the constitution, and jealous of the maintenance of the rights of the nation, and anxious to maintain the good intelligence between the two legislative bodies, he does not intend to receive such an address."

After this His Majesty was pleased to create nine new senators, which brought them to the highest possible amount contemplated by the constitution, namely, half the number of the deputies; but not satisfied with this, the Government compelled the deputies, who, by the by, I may incidentally mention, were all elected under violence, to pass a law extending the King's power to create senators in case his Majesty should desire to do so. I have omitted to mention that, in the discussion on this subject, which took place in the Senate, M. Condowriski said—

> "Not to tell his Majesty that the Government is vile, that the constitution is in danger, that the finances are in disorder, that anarchy reigns in the country, would be to betray our oaths, and to expose ourselves to the just reprobation of the country."

To which the President replied—

> "Do you think, Sir, that I do not know as well as you do to what a deplorable state the country is reduced? I told his Majesty all this; but he assured me that if you did not give up the Address, he would create new senators. I see that you will insist upon telling the King the truth; but the truth is bitter, and not to be told at all times."

Sir, the recent affair at Patras has excited a great deal of attention. I am not going to trouble the House with an account of the circumstances which took place; but I am quite certain that any one who fairly investigates them will admit that the captain of the *Spitfire* only discharged a great national duty in taking on board Merenditi and his followers. The course which he adopted was that proposed by all the other consuls, and received the unanimous approval of all the inhabitants of Patras. Sir, I think I have said sufficient to prove that the case of Greece requires much consideration; and I need not say that no party feeling, and no desire to promote our own influence, should have any weight with us. Lord Aberdeen well laid down, in 1844, the principles which should guide us, in his instructions to Sir Edmund Lyons, who has so nobly and ably followed them :—

> "It will, of course, be of high importance that the three guaranteeing Powers, who have hitherto acted in such perfect unison in their proceedings with regard to Greece, should continue to preserve the same unanimity of counsel and action in the changed circumstances that have arisen. You will constantly exert yourself to maintain that union which has hitherto so happily prevailed between your colleagues and yourself; and you will especially impress upon them the necessity of persevering in the honourable and correct principle which ought to guide the Three Powers in their relations towards Greece, and by which Great Britain, at least, is fully resolved that her conduct shall be invariably governed; that is, to set aside all views of separate or individual interest, to discourage all party distinctions, and to look to the national welfare and prosperity of Greece alone, as the object of our united care."

And in November of 1844—

> "In the whole of your proceedings at this important crisis, you will constantly bear in mind that the good of Greece alone is the principle which guides and animates Her Majesty's Government. We wish to see Greece independent, and under the auspices of a sound and well-regulated constitutional system of government, in which each power in the State shall have its due weight and influence, growing daily in strength, in credit, and in prosperity. The exercise of any extraneous and exclusive influence over her counsels can but retard that growth. Instead of leaning upon foreign support, we desire to see the Greeks rely on their own moral and physical resources for establishing their affairs on a footing most conformable to their wants and social position."

I may mention that, when some communications were recently made to the Bavarian Government on the state of Greece, the King was forced to admit that the counsels he gave were never attended to. I will not imagine that at this time, when the principles of constitutional government are so fully developed—I will not believe that, after those recent scenes which Europe has with amazement witnessed, Greece will remain the only country, which, participating in European civilisation, does not participate in those privileges which are now becoming common to all. I am not exaggerating when I say that Greece, with her two thousand years of claims upon free institutions, has the smallest amount of freedom granted to her. In all other countries, even in those which do not enjoy a liberal constitution, there is in general some check placed upon wanton tyranny, either through a powerful aristocracy, as in Russia, or by the means of enlightened state craft, as in Austria. In Greece, however, all tyranny is unbridled; there is not even an aristocracy to stand between the people and their tyrant; and so the constitution is taken advantage of to veil the blow which is struck at the happiness of the nation; and the ministers of evil and ignorance, who spread anarchy triumphant through the land, take advantage of the consequences of their guilt, and exclaim, "See the desolations of a people who wept for a constitution." I understand them well. They take example from the executioners of the daughter of Lejanos, and first violate the child in order to give them a right to destroy it. If anything can prove that Greece is not unworthy a free constitution, it is that the people mourn so deeply over its loss, and groan under the tyranny which oppresses them. It is precisely because, having suffered its loss, Greece has, ineffectually it is true, but so often asserted her rights, that she proves herself fit to obtain them. Let us suppose that a heartless despotism was accepted without a murmur —that the sense and spirit of the nation did not turn when it was trodden on—then it might have been said, "This people are undeserving of liberty; servitude is their natural condition;" indifference to persecution would have been made an arm to be turned against them. Surely, I think, that the House will now agree with me, that this condition of a country will justify the language used by the noble Lord the Secretary of State for Foreign Affairs in a recent and memorable despatch. It has been said, we dare not use such language to a greater Power. Sir, I am sure that there is no Power so great that we dare not use to her the language of fair expostulation. Why, the very persons who were loudest in this charge against the noble Lord, have recently blamed, in the strongest terms, the language employed in reference to the possible interference of Austria in Italy. As a general rule it is true that it is most unwise to interfere in the affairs of another country; but our relations with Greece are, as I have proved, peculiar ones, and we are morally bound to look after her welfare. It was, Sir, at the Treaty of London that England, France, and Russia, under a generous inspiration, united to relieve this oppressed country; and it is most important that the same Powers should maintain the same unity of noble purpose. I cannot for a moment doubt that France, under her present Government, composed of men who have proved themselves so eminent and so able, will assert in favour of Greece those principles which she has now maintained, and exercise that first great privilege of freedom, the power of communicating it to others; for I am pleading for a country from which we, in common with all Europe, to use the language of the late Lord Holland, derive all that softens and refines the heart, and all that gives life and animation to our debates. It is the cause, not of Greece and her isles, or the waters which wash her shores; but the cause of constitutional liberty in all parts of the world. The hon. Gentleman concluded by moving for copies of certain despatches which have passed between Sir E. Lyons and the Secretary of State for Foreign Affairs.

VISCOUNT PALMERSTON: Sir, I am not aware that I have any objection to make to the Motion of the hon. Gentleman, but of course he will specify the extracts of which he desires to have copies. I am sorry to say that I must bear my testimony to the accuracy of the description which the hon. Gentleman has given of the present state of Greece, whether that testimony be given with reference to the mode in which the financial affairs of the country are regulated, or whether it be offered with respect to the manner in which the constitution has been worked, or whether it be even with regard to the way in which the Executive Powers deal with the people of the country. At present there is no absolute necessity of speaking harshly in this House with regard to the administration of the affairs of other countries; but, as the hon. Gentleman has stated, this country stands with respect to Greece in a position totally different from that in which she stands towards other countries. We have not only rights, but obligations and duties, in respect to Greece, which do not apply to countries in regard to which our position is altogether indifferent. England was one of the Three Powers which by their interposition between Turkey and Greece finally accomplished the independence of the Greek nation, and the erection of Greece into a separate kingdom. England also was one of the Powers to whom was given the choice of choosing a sovereign to reign over Greece; and England was one of the Three Powers by whose representatives was drawn up the proclamation announcing to the Greeks the selection of their Sovereign, and giving a pledge that that Sovereign should give to the Greek nation a constitutional system of government. We, therefore, do stand in the position of parties who have undertaken certain obligations towards the people of Greece; and those obligations—as far as properly lies in our power—I am ready to say we are bound in honour to see carried out. There are questions connected with the present Motion which would make me averse to enter into any discussion of the matter, or go into the details which the hon. Gentleman has touched upon; I, therefore, shall only say that if he so shape his Motion as to specify some particular periods, and the copies and extracts which he chooses to produce, I can make no objection to it; or, perhaps, he might withdraw his present Motion, and then show me the Motion as he would wish it to stand. We may settle it together, and I shall be happy to give him any information which it would be useful for the House to have laid before it.

Motion withdrawn.

NEW PALACE AT WESTMINSTER.

SIR R. H. INGLIS moved—

"That a Select Committee be appointed on the present state of the New Palace at Westminster, with a view to the reception and accommodation of this House therein, and the probable expense of its completion; and also to inquire into the present state of Westminster Bridge."

The additional expenses incurred in the erection of the New Houses of Parliament, and the delay that had taken place, had been greatly exaggerated in the House. When hon. Gentlemen complained that the buildings were now to cost 1,400,000*l*., and that even after that there would be some yet undiscovered expenses which could not be calculated on until the bills should actually have come in, they should recollect that a large amount of expense had been incurred by the prosecution of works which formed no part of the original estimate. Such were, for instance, the river wall, the expenses of the architect and the surveyor, and others. He was surprised that such an outcry against the expenses incurred by works that gave so much employment should be raised by hon. Gentlemen who prided themselves upon being political economists, and who should remember that not only a vast number of workmen obtained employment, but that about 25 per cent of the outlay was returned to the Exchequer in the shape of duties. As to the blame that had been cast upon Mr. Barry, he had never been a blind idolizer of that eminent gentleman; but he had never for one moment doubted his skill and extraordinary talent as an architect. He only doubted whether there had been a sufficient check upon the alterations in the design, and upon the consequent expenditure. With regard to the names which he proposed to place upon the list of the Committee, he regretted to see that one-half had been objected to, and others substituted, and that those who had been struck out were precisely the persons who, from their present or previous connexion with the office of Woods and Forests, knew most about the business. As to the Amendment of which notice had been given by the hon. Member for Middlesex (Mr. B. Osborne), to substitute an address, praying Her Majesty to appoint a Commission, he had no objection to such an appointment; but he hoped the House would not agree to it unless it were satisfied that the buildings could not be proceeded with otherwise. He regretted that Her Majesty's Government were about to limit greatly the sums to be expended during the present year upon the new buildings; however, he thought it a very bad system of economy to spread over several years the expenses of erecting a building which might be completed in one.

Mr. BERNAL OSBORNE, in opposing the Motion, remarked that it was not enough to say that Mr. Barry was one of the greatest artists that ever lived. What he wanted to know, and what the country desired to be assured of, was this — who was to be responsible for the expenditure? He referred to the report of the House of Lords in 1844, to show that the complaints he now made were not put forth for the first time. In truth, since 1836, there had been no control over Mr. Barry; and one reason why he should press the Amendment of which he had given notice was, that he never knew of a Committee being appointed, which did not add to the expense of the building. And now what was that building? An Italian composition, with a Gothic dress—a thing that was so frittered away in details, that in the course of a few years it would be nothing more than a metropolitan asylum for birds' nests and soot. There was then 90,000*l.* expended for warming the two houses, and there was another bill coming in, also for warming the houses. There was, he had been told, a plan for ventilating the houses, by which the smoke of all the chimneys was to be put through one great flue; and there was a quarrel about this and the ventilation going on, which promised to be as lasting as that between the hon. Member for Youghal (Mr. Anstey), and the noble Lord the Secretary for Foreign Affairs, and likely to go through the Session, that is, unless the noble Lord could assure them that peace had been established, or that Dr. Reid had been discharged. But a Fine Arts Commission had been appointed in the year 1840; and now, there was one thing connected with this Fine Arts Commission, which he could never understand, although he thought the hon. Member for the University of Oxford was to blame for it, and that was the invention of the name of the New Palace at Westminster. Up to that time they had been quite contented with the name of a House of Commons. This might appear to be a slight thing; but there was a meaning in it, for, calling the House of Parliament the New Palace at Westminster, it would appear as if Her Majesty allowing them to be there, it would be highly indecorous for them to interfere with the expenses. Now, he could not understand why they should go back with the hon. Member for Oxford University to the time of Edward the Confessor, when the hon. Member and his fathers before him had always called the building "the House of Commons." Now, as to this Fine Arts Commission, a petition had been presented by the late Chancellor of the Exchequer (Lord Monteagle) from the artists, declaring that the Commission knew nothing at all about art. And what had they done? They had established a Gothic hall, with a fresco gallery; and thus the Fine Arts Commission succeeded in making a most miserable exhibition. Now, when he made a remark upon an artist, the noble Lord would tell him that such a person was a good Christian, and a fine father of a family. Let them, he said, for instance look to "the Order of the Garter." It was nothing more than a gigantic exhibition of legs. And when a complaint was made on this subject to the House of Lords, all they knew about it was, that "the Marquess of Lansdowne said a few words which were inaudible." The House should recollect that the money expended in this way was not its own—that it was their duty to see how it was spent, as well as to prevent an improper expenditure. But they were told the House was nearly finished. They had enough of experience of the past not to rely on such promises for the future. At that moment the New Houses of Parliament—he begged pardon, the New Palace at Westminster—was not half finished. He did not run a-muck against Mr. Barry, but he did run a-muck against the whole system—that system under which their money was spent in building that Gothic gewgaw the House of Lords, and which he defied any one to say was a chamber fitted for consultation. Already 1,016,000*l.* had been spent, and 567,767*l.* they were told were required to complete the edifice. The expenditure had already nearly doubled the amount of the original estimate. How long, therefore, would the House be content to listen to the excuses and eulogiums upon Mr. Barry and his works of the noble Lord the Chief Commissioner of Woods and Forests? He would take the liberty of stating a circumstance which ought to have considerable weight with the House of Commons upon this subject. The Finance Committee of Sir Henry Parnell, which sat in 1828, speaking in their report of the Rideau Canal, the original estimate for which was 160,000*l.*, whilst the expenditure incurred was no less than 520,000*l.*, said—

> "The Committee regret that so important a plan should have been undertaken on an estimate which has proved so defective, and they cannot refrain from remarking how desirable it is that Parliament should never be called upon to vote money for any public undertaking, by any department, without the most perfect estimate that could possibly be procured."

Such was the advice of that Committee—advice which it would have been well had the House followed in the present instance. With reference to the appointment of a Committee, he had shown that the effect of every report of a Committee which had hitherto sat had been to augment the confusion and create additional expense. But there was the strongest authority for the appointment of a Commission. Sir Robert Peel was of that opinion in 1836. The right hon. Gentleman asked Lord Sudeley—

> "Has it ever occurred to the Commissioners, whether it would be desirable to make some arrangement with respect to the execution and construction of these buildings?—Yes.
>
> "Would it not be much better to appoint some person permanently to superintend it, rather than leave it to any particular department of the Government?—I should say so. The Commissioners have given this opinion in their report. I believe the expenses of public buildings have recently been much increased, in consequence of the inefficient control of the Executive over them."

Perhaps, however, the noble Lord would say there was no precedent for this. But, in 1824, a Royal Commission was appointed, to superintend the improvements of Windsor Castle. If the expenditure for the New Houses of Parliament continued at the present rate, the structure would cost millions before it was completed. And where was the money to come from? Would they take it out of the "balances in the Exchequer?" Or would they abdicate their functions, and refer their question to a Select Committee upstairs? If they meant really to prove themselves guardians of the public purse, their only course was to vote with him for an—

> "Address praying Her Majesty to appoint Commissioners to superintend the expenditure of the amount voted by this House for the New Houses of Parliament, with a view to make such arrangements as shall complete the building at the earliest period."

SIR B. HALL seconded the Amendment.

VISCOUNT MORPETH assured his hon. Friend that he did not found his opposition to the Amendment upon any feeling of jealousy with regard to the Board of Woods and Forests as to the construction of the New Houses of Parliament. That department had faithfully endeavoured to discharge all the duties devolved upon it either by Parliament or by the Treasury; and it had not affected to do more. It seemed to be assumed sometimes that the Commissioners of Woods and Forests were expected to fulfil all the duties of what our neighbours called "the Minister of Works;" and he should certainly feel that he required to enter into training for the qualifications necessary for such an office. Indeed, already, he had sometimes to give an opinion upon matters which required the education and acquirements of a land steward, of a practical farmer, of a builder, of an architect, of an inspector of mines, a valuer of timber, and of a practical engineer; and in addition to his own radical deficiencies in these respects, he felt that the department had not a sufficiently organised staff to discharge the duties required from a regularly constituted office of works. At the same time neither the department over which he had the honour to preside, nor the Government, were disposed to shrink from any responsibility which fairly devolved upon them; and when his hon. Friend asked who was responsible for the amount of expenditure annually proposed to Parliament, he replied that nobody could be responsible but the Government as represented by the Chancellor of the Exchequer. The Chancellor of the Exchequer must, of course, be responsible for the Estimates he annually laid upon the table; and the Board of Works were willing to take the responsibility of fully inspecting all the accounts, and of forming the best judgment they could upon the points referred to their decision with regard to deviations from the original plan. He certainly thought that no unnecessary expenditure ought to be incurred; but, at the same time, when the ancient house of Parliament had been destroyed by fire, and it had become necessary to erect a new abode for the Legislature, it was fitting to make that abode worthy of the high object to which it was to be dedicated, and to employ upon it the best talent that the country could supply. His hon. Friend had said, that when this subject was last discussed, he (Viscount Morpeth) had no defence but that of praise to the architect. Upon this he must observe, that when a building was attacked, the natural defence was to praise the architect in his professional capacity. To-night his hon. Friend had not attacked the character or the honour of the architect, but he had indulged himself by commenting upon the style and merits of the building. Tastes must differ, and therefore it was not for him to assume any greater justification for praising the building, than his hon. Friend had for condemning it. His hon. Friend said he could back his opinion by that of the most eminent architect of the age. Who that authority was he had not informed the House; but it happened that he had had a letter put into his hand from a gentleman of high standing north of the Tweed—Mr. Playfair, who had erected many public buildings in Edinburgh and the neighbourhood—on this very subject. This gentleman said—

> "I have examined the Houses of Parliament inside and out; time and money could not have been better employed. I think Mr. Barry's genius is beyond the age he lives in; and depend upon it he will be immortal."

His hon. Friend had particularly signalled out for his criticism the appearance of the House of Lords, which he denominated a "gewgaw." A simpler and severer taste might be preferred by his hon. Friend; but Mr. Barry felt that as this was the place wherein the Sovereign met the assembled estates of the land, the representatives of foreign Powers, and the beautiful and the fair of our country, it should be worthy of the nation in point of splendour and decoration. A simpler style, with less profusion of decoration, would be followed in other parts of the House. With regard to the differences between Mr. Barry and Dr. Reid on the subject of ventilation, no one could be more sensible of their inconvenience than himself; but as it had been found impossible to bring them to a good understanding, and as it was his duty to prevent Parliament being trifled with, he had insisted upon Dr. Reid making specific drawings of the plans which he required to be carried into effect to complete his system of ventilation. These drawings had been furnished, and Mr. Barry, who professed his readiness to carry them into execution, was now engaged in making the necessary arrangements for giving effect to Dr. Reid's designs. He did not think it necessary to enter upon a discussion of the merits of the frescoes in the House of Lords or of the Fine Arts Commission; but he would say the character given to those frescoes was not shared in by the best judges of art. But it was said to be an anomaly to have decorations in fresco in a Gothic building. On this subject it would only be necessary to remind his hon. Friend that the most admired specimens of architectural decoration were the frescoes of the Campo Santo at Pisa, a Gothic building. [Mr. OSBORNE: The Campo Santo is not a Gothic building.] At all events, it was a building of the middle ages. He did not wish to express any premature censure or condemnation of his hon. Friend's scheme of a Royal Commission to watch over the expenditure and progress of the building; but on all occasions, when the present Parliament had discussed this subject, the general wish and expectation had been that a Committee would be best. Her Majesty's Government, therefore, felt it to be their duty not to accede to the proposal for a Commission in its present shape.

SIR BENJAMIN HALL said, the question was, whether an efficient control should be established over the expenditure upon the New Houses, seeing that it had more than doubled the original estimate. No Committee, and certainly none constituted as proposed by the hon. Baronet (Sir R. Inglis), could possibly effect that object; and the Government would screen themselves behind the decision of that Committee because it had been arranged with their concurrence. Objecting then to the Committee, he objected still more to its constitution. The noble Lord (Viscount Morpeth), the noble earl opposite (the Earl of Lincoln), and the right hon. Baronet (Sir R. Peel), ought certainly not to be upon it. They ought rather to be called as witnesses. Any Committee should be totally independent both of the past and of the present Governments; and the Under Secretary of the Treasury (Mr. Tufnell) had already enough to do without being placed upon such an inquiry. Mr. Barry had shown vast genius and great talent; but he wanted to know who was responsible for the expense? He was surprised to hear the noble Lord say the Chancellor of the Exchequer was responsible. If the Chancellor of the Exchequer was the responsible party, why was he not in the House at that moment? He did not believe that that functionary had any idea that he was responsible, and therefore it was that he (Sir B. Hall) should vote for a Commission which should be responsible for the expenditure and the completion of the building. The only point on which he was disposed to blame Mr. Barry was for not having in the first instance furnished a more detailed estimate. He was decidedly of opinion that considerations of economy would be best consulted by completing the building with the greatest despatch. He should vote against the Committee; and if the Committee were appointed, he should vote against many of the names on the Committee.

The Earl of LINCOLN said, when this subject was last before the House, he had ventured to trouble them with several details of figures to prove that a very erroneous impression had been created with reference to the sum already expended, and the probable expenditure in future; and he thought it unnecessary, upon the present occasion, to trouble the House with a single observation upon that point, or to involve the discussion with the question of the responsibility of Mr. Barry. He must also deprecate the practice of that House resolving itself into a dilettanti society, with the view of discussing matters of taste, of considering how far those frescoes were in consonance with rules of art, and other details of that nature. If they did so he thought that in all probability they would arrive at no proper or satisfactory conclusion upon those points, neither indeed did he think that it formed one of the functions of that House. But there was one function which peculiarly belonged to that House, and that was to take care that the money which the House voted for any purpose whatever should be properly applied; and so far as the appointment of a Committee or a Commission involved that matter, he conceived it to be the bounden duty of the House to devote themselves to it. He should have been prepared to have given his vote for a Committee to investigate this subject, had he not been somewhat alarmed by the statement which fell from the noble Lord opposite in reference to the question of the hon. Member as to the disputes between Mr. Barry and Dr. Reid. He repeated what he had stated upon a former occasion, that his experience of Committees relative to the Houses of Parliament led him to the conclusion that the investigation of each Committee had added to the expense of that building. He had hoped that the Committee about to be appointed would have been precluded from entering into any considerations which could add to the expenditure; but the noble Lord stated that the question now pending between Mr. Barry and Dr. Reid was relative to the height of the central tower, and that that should be referred to the Committee. Now he (Lord Lincoln) was confident that if that course were pursued, the result would be as before—an addition to the estimate. For himself, as an individual Member of that House, he would infinitely prefer trusting the matter to the noble Lord, as one of the responsible advisers of the Crown, however incompetent he might be on scientific grounds to decide, than to a Committee of the House; and he thought it was the bounden duty of the noble Lord to take care that not one farthing of the public money was improperly expended on that building. He must recognise, however, a very great advantage in the proposition of the hon. Member for Middlesex, supposing that a competent authority could be found. He perfectly agreed with the noble Lord, that, irrespectively of individual competence, the duties of the Commissioners of Woods and Forests had become so enormous, that it was quite impossible that they could devote sufficient attention to these matters. He believed it might be desirable, therefore, for some functionary to be appointed who should have the superintendence of the New Houses of Parliament, and of any public buildings of a large character which the State might undertake. What he should suggest, however, as the better course at present was this. He did not see to whom they should delegate that authority. He should not like to see such a Commission as that to which the hon. Member for Middlesex appeared to point, viz., an amateur Commission of noblemen and gentlemen. [MR. OSBORNE: I don't mean that.] The hon. Gentleman certainly did not say that; but he pointed to a former Commission which was appointed in the case of Windsor Castle, which would lead to that supposition. He was himself a Member of such a Commission, superintending the improvements at Buckingham Palace; but he must say he did not think it a desirable precedent to follow. If, then, they were not prepared to decide who ought to be the superintending power, and if they were agreed that it was desirable to have as efficient a control as possible, would it not be infinitely better, upon the present occasion, to appoint the Committee proposed by the hon. Baronet, only confining their functions to an investigation of the best mode of controlling the expenditure? He thought such an investigation would be extremely useful, not only as applied to the present buildings, but to all other public buildings of any magnitude. If the hon. Baronet persevered with regard to the other matters for the Committee's consideration, he was not prepared to say that there might not be some such objections to its composition as were put forward by the hon. Member for Marylebone; for undoubtedly if the Committee were to investigate charges against men who held or had held official situations, it might be desirable to have those hon. Members as witnesses rather than as judges. If the operations of the Committee, however, were to be confined to what he had suggested, he thought that the present composition of the Committee was desirable, because the official knowledge possessed by those Gentlemen would then be extremely useful.

SIR G. STRICKLAND confessed he could not understand what the duties of the Committee were to be. It seemed the Committee was to inquire into the expenditure and condition of the New Palace at Westminster, and also to inquire into the present state of Westminster-bridge. It was not clear to him why Westminster-bridge and the New Houses of Parliament were to be placed in juxtaposition. The Committee might as well inquire into the navigation of the river Thames, or into the present state of Blackfriars-bridge, which, it appeared, required repairs. It was said that the Houses of Parliament would cost four millions of money; but he thought this was a very exaggerated estimate. If this Committee were to recommend the rebuilding of Westminster-bridge, at a cost, perhaps, of 1,000,000*l.*, was it to be supposed that Parliament would support their recommendation?

SIR H. WILLOUGHBY said, he took only a financial view of the question, and he feared it would turn out a similar business to the Kaffir war.

MR. HUME considered the appointment of a Committee on this subject would lead to great inconvenience and expense. He was convinced that two millions would not finish the building; but, even supposing that estimate to be exaggerated, the works would cost double the sum originally contemplated. He submitted that it would be far better not to make any further alterations, but to appoint competent persons, whose duty it should be to see that the works were finished in the most expeditious and least expensive manner. He could not see what the Committee, if appointed, would have to do with Westminster-bridge. For his own part, he did not approve of the proposition to substitute a bridge in the Chinese style for the old bridge at Westminster, in order that it might correspond with the florid façade of the New Houses of Parliament. He was satisfied that the Committee, if granted, would only lead to mischief, so he would oppose its appointment.

VISCOUNT MORPETH: I merely wish to say, with regard to the central tower, that Mr. Barry thinks, both with reference to appearance and economy, that that tower may be made lower than was calculated in his original design. At the same time I know that Dr. Reid has presented a petition to the House stating, that if the original design be departed from in that particular, it will interfere materially with the application of his invention.

MR. BERNAL never recollected an instance in which any advantage had arisen from discussing matters of taste in that House. He would ask his hon. Friend the Member for the University of Oxford what it was he sought to obtain by this Committee. His Motion was for a "Select Committee on the present state of the New Palace at Westminster, with a view to the reception and accommodation of this House therein, and the probable expense of its completion; and also to inquire into the present state of Westminster-bridge." Now these objects, which were thus placed in juxtaposition, had really nothing in common. Why would not his hon. Friend at once candidly declare that his object was to have the present Westminister-bridge taken down, and a handsome structure erected in its place? In these days of economy and retrenchment it was not fair to hold this in the back ground, and then when the Committee had sat, to come down to the House with a report that it was necessary to form new approaches to the Palace of Westminster from the Surrey side of the river. If he desired to have a new bridge, he should at once state his intention. What object did he propose to obtain by the appointment of this Committee? A Committee of the House of Commons was the most incompetent body in the world to decide on any matter of taste, or to control the expenditure of money on objects of taste. With regard to these New Houses of Parliament, he would not enter into controversy as to the propriety or impropriety of the site chosen for the erection, but would content himself with reminding them that they had now advanced to a position from which they could not recede. They must advance. There was no important object to be gained by spreading this expenditure over an indefinite number of years. The comfort of the Members of the House should be more attended to than it had been. He would ask if the access to the present House of Commons was what it ought to be for the accommodation of persons having business there? The noble Lord the Chief Commissioner of Woods and Forests had told them that he had already enough to do; but certainly it was the duty of some department of Government to appoint proper persons who should be employed in looking after the expenditure of the money appropriated to the building of the Palace of Westminster. He did not consider a Committee of the House of Commons a proper tribunal for this purpose, and he would much rather have an assurance from the noble Lord and the Chancellor of the Exchequer that they would undertake to see to the matter themselves, or to employ proper persons to investigate and report on the subject.

MR. R. YORKE said, the idea of appointing a Committee had been ridiculed by almost every speaker, and he had much rather the house should agree to the Amendment of his hon. Friend the Member for Middlesex, than to the appointment of any Committee.

SIR R. H. INGLIS had included Westminster-bridge amongst the objects to be inquired into by the Committee, because it formed one of the approaches to the New Houses, and had been affected by their erection. The hon. Member for Marylebone had said that there seemed a suspicion that this Committee had been arranged between the Government and the Member who moved for it. No Committee was ever appointed without a direct communication between the individual who moved for it and Her Majesty's Government; and he was, he apprehended, justified in the course he had taken by having received the direct sanction of Government, not only to the appointment of the Committee, but of every individual name included in the Motion. He would not go into the discussion of the great constitutional principle involved in the name, but he had authorities for it. When the two Houses of Parliament were consumed by fire, and when it was necessary to provide further accommodation, his late Majesty was advised, in the Speech from the Throne, to use the phrase—

> "The ancient Palace of Westminster, which has long been appropriated to the use of the two Houses of Parliament."

And the following notice appeared in the *Gazette*:—

> "The chambers in the Palace of Westminster which have been usually appropriated to the meeting of the Houses having been partially destroyed by fire, His Majesty," &c.

He had also the concurrent authority of a very distinguished constitutional Member of the House, who in one of the most recent returns to the House, had condescended to use the very phrase which his hon. Friend seemed to consider so unworthy of his adoption. He had the latest return on the subject of the New Houses of Parliament, and it was moved by the hon. Member for Montrose, who also condescended to use the very obnoxious term. It was—

> "Return of the aggregate amount already paid, or agreed to be paid, to contractors and other persons, for the purchase of land and buildings for the erection of the 'Palace of Westminster.'"

These were his authorities for having introduced the phrase "the Palace of Westminster." He would not enter into the constitutional grounds; it was sufficient for him to use a phrase which had been adopted by the Crown. Having brought forward this Motion with the concurrence of the Government, but not certainly at their bidding—having proposed the names of the Committee with the sanction of the Gentlemen who were named—he should feel that he was not doing justice either to the Government whose concurrence he had received, or to the individual Members whose names he proposed to place on such Committee, if he had abandoned the proposition which he had so deliberately made. He must therefore insist on claiming a division.

The CHANCELLOR OF THE EXCHEQUER observed, that reference had been made to the share which the Chancellor of the Exchequer had in proposing the expenditure. He wished the House distinctly to understand how far he considered himself responsible, and that was to the extent of determining what sum of money in each year should be voted. How the expenditure should be carried on, and whether it should be carried on according to the recommendation of the Committee, it was not for him to say. He had not time to devote to the purpose; and he could not pretend to say whether the building was in conformity with the plan. With respect to Westminster-bridge, he had the honour as well as the Speaker to be one of the Commissioners for the management of Westminster-bridge; and it was, he was afraid, too true that Westminster-bridge was in a state which sooner or later would require considerable expenditure, whether it were determined to adapt it to the architecture of the House or not. The Commissioners had been obliged to stop up the navigation of two arches, and remove some of the superincumbent weight, to render it safe for the passage of carriages. That the danger was obviated by the precautions which they had taken, he believed. He believed the bridge at present to be in a state of perfect safety; but at the same time it was only in a temporary state, and it was impossible that the bridge could permanently be allowed to remain in the state in which it was, with two of the arches blocked up, and the navigation of the river materially impeded. He did not, however, think that it was necessary to mix it up with the present question as to the two Houses of Parliament. He trusted that the debate of that evening might lead to a practical result. He thought that the appointment of a Commission, in the words of the hon. and gallant Gentleman, if it should be a *dilettanti* Commission, would only lead to expense, and to the appointment of that Commission he should be unwilling to accede. At the same time he was not prepared to say that it was not advisable to devise some means to control the expenditure. This, however, was out of the power of his hon. Friend and himself; and therefore if any body of persons could be constituted, with an adequate knowledge of the subject, who could effectually control the expenditure, he would not make the slightest objection. Probably then a Commission might be appointed with adequate powers to decide what would contribute to the economy and proper construction of the Houses of Parliament. They should not be allowed to recommend an increased expenditure. The amount of expenditure should be left to the Government and the Chancellor of the Exchequer, who should determine in each year. He was inclined to think that Government had better take on themselves the appointment of such Commission. They should be a purely controlling body, in conformity with the plan sanctioned by the Commission of both Houses. He believed the noble Lord would take on himself the responsibility of recommending the appointment of such a body; and if this proposal met with the concurrence of the House, the better course would be for the hon. Member for the University of Oxford to withdraw his Motion. He believed that the appointment of such a body by the Government would attain the object in view, viz., that the building should be carried on in the most economical manner.

SIR R. H. INGLIS said, that if he was at liberty to conclude that his noble Friend the First Commissioner of the Woods and Forests was prepared to concur in the adoption of the suggestion thus thrown out by his right hon. Colleague—if he would state that he was prepared to pledge himself that the Commission should issue—he (Sir R. Inglis) would, with the leave of the House, withdraw his Motion.

VISCOUNT MORPETH had been anxious to accept the discharge of the duties which he understood appertained to the office he held. When he thought it the wish of the House that the Committee should be appointed, he was willing that the whole proceedings and transactions should be remitted to the investigation of such Committee; but if it was the general feeling of the House that some means of closer and better control should be applied, he should be quite willing if the hon. Members would withdraw their proposition, to consider what advice could be given to Her Majesty respecting the appointment of such a Commission, premising only that he thought the Members of it ought to be very few indeed.

Motion and Amendment withdrawn.

House adjourned at a quarter to Ten o'clock.

HOUSE OF LORDS,

Monday, March 3, 1848.

Minutes.] *Took the Oaths.*—The Earl of Ellesmere.

Public Bills.—3ª and passed:—Consolidated Fund.

Petitions Presented. From Worcester, for, and from Billingshurst, against, the Removal of the Jewish Disabilities Bill.—From Worcester, for the Repeal of the Poor Removal Act, for a National Rate for the Relief of the Poor, and for Sanitary Reform.—From Dudley, against the Increase and Continuance of the Income Tax.

DIOCESAN SCHOOLS.

Lord LYTTELTON presented a petition from the Worcester Diocesan Board of Education, praying for the adoption of measures to remedy certain objections to the management clauses required by the Committee of Privy Council to be inserted in the trust-deeds of schools receiving aid from the Parliamentary grants. The petitioners stated, that a Minute had been adopted by the Committee of Council on the 28th of June, 1847, requiring that all schools receiving aid from the Parliamentary grants should be managed by boards consisting partly of *ex-officio* Members, and partly of persons elected by the subscribers; and they complained that a compliance with this clause was rendered compulsory on all managers of Church schools, as a condition of their receiving any share of the amount at the disposal of the Committee of Council. The petitioners prayed their Lordships to adopt some measure to exempt the promoters of Church schools from this condition. This regulation had been adopted without previous notice; and he (Lord Lyttelton) wished to urge on the Government the propriety of postponing its operation until persons interested in the management of schools were fully aware that such a Minute was in existence. He might observe, that he was one of those who attached great importance to voluntary exertion on the part of the Church for the promotion of education, and he was most anxious that some arrangement should be come to between the members of the Church and the Government on the subject. Some recent circumstances had greatly shaken the confidence of the members of the Church in the Government; but he could only say, that he attached so much value to the co-operation of the Government with the Church on the question of education, that he was quite willing to shut his eyes to their conduct with reference to other matters.

The Bishop of WORCESTER observed, that it was required, by the rules of the Worcester Diocesan Board of Education, that no final decision should be come to upon any matter of importance that might be discussed until the most distant members had had an opportunity of expressing their opinion on the question; but he believed that the noble Lord had given no notice of his intention to propose, at a meeting of the board, the petition he had just presented. He therefore conceived, that this petition should be regarded merely as a petition of the persons by whom it was signed, and not as the petition of the Diocesan Board of Education of Worcester. He must say, that he considered the clause to which the petitioners objected entirely harmless, for he thought nothing could be more reasonable than that those laymen who contributed to the establishment of schools should have a share in their management. The success of the important educational experiment which was now being tried, depended, in a great measure, upon the cordial co-operation of the Committee of the National Society and the Committee of the Privy Council; and he would deprecate most strongly anything that could disturb a good understanding between those bodies.

Lord LYTTELTON said, the petition he had presented was adopted at a regular meeting of the Worcester Diocesan Board of Education.

The Marquess of LANSDOWNE said, that so far from the Committee of Privy Council having originated any novelty in this matter, the novelty was on the part of those who made the objections. It must be perfectly obvious, that when the public money was advanced, it was necessary that due security should be taken for the proper application of it, otherwise the object for which these grants had been made would be rendered nugatory. The noble Marquess briefly went through the provisions of the management clauses complained of, and said that the appeal was to the bishop of the diocese, whose decision was final. The system adopted by the Committee of Privy Council was in conformity with the compact entered into with the National Schools Society; and the view which he took of the management clauses had been taken also by his predecessors, Lord Wharncliffe and the Duke of Buccleuch. The late Archbishop of Canterbury had admitted the propriety of those clauses which the noble Lord now denounced as a mischievous innovation; and he (the Marquess of Lansdowne) had received from that most rev. Prelate, a few weeks prior to his death, a private letter expressing his entire satisfaction at the mode in which the education grant was administered, and the system of inspection established. It had been said that members of the Church of England would not co-operate with the Government in reference to this system of education; but he could mention that numbers of applications to the Government for aid were made daily by members of the Church, who did not object to these clauses. He submitted that there was no foundation for making that a grievance.

The BISHOP of CHICHESTER said, that the clergy felt it their duty to co-operate with the Government to the utmost of their power in endeavouring to diffuse among all orders of the community the great blessings of education; and he could assure them that there was no desire whatever on the part of the clergy to exclude the lay subscribers from a due share in the management of schools, to which he considered they were justly entitled; but the feeling of dissatisfaction which had arisen proceeded from the compulsory enforcement of one of the clauses.

The EARL of ILCHESTER addressed to their Lordships a few observations which were inaudible.

The BISHOP of OXFORD said, that he had urged the noble Lord not to bring forward the present petition, and he greatly regretted that the present discussion had arisen. But as it had taken place, he could not altogether refrain from making a few remarks. The noble Marquess had misapprehended, and, misapprehending, had mis-stated, the real matter to which their Lordships' attention was now required, and that in a very important particular. In the first place, the noble Marquess had stated that, judging from the number of applications made to the Committee of Council, he should say that no feeling of jealousy existed throughout the Church with regard to the management of the schools. Now, he enjoyed some opportunities of becoming acquainted with the feelings of the clergy, and he could undertake to say that there existed a very deep and wide-spread excitement amongst them upon this subject, which, in his own diocese, had seriously impeded his endeavours to spread Church education; he maintained that there was a deep and injurious jealousy; and that jealousy arose from this cause, that the Dissenters were allowed to manage their own schools (receiving Government assistance) in such manner as they thought proper; while the managers of the Church of England schools were not allowed equal freedom and independence. This feeling had also been increased by a report that had got abroad, that an address from the noble Marquess had been very widely circulated, in which he had stated the fact of his having prevailed upon the clergy in his neighbourhood to dispense with the use of the Church Catechism in schools which had been created and were in a great degree supported by clergymen of the Church of England; and that this had been done for the purpose of facilitating the entrance into those schools of persons who were not in communion with the Church of England; thus the Dissenters would have schools exclusively their own, while schools professedly belonging to the Church of England would be as open to all sects and denominations as if they had been founded and were supported by persons professing no religion of any kind. It was most desirable to remove doubt and jealousy upon subjects of this nature; and he wished to do all in his power to remove any suspicion that might arise in any quarter; for suspicion, founded upon any rational basis, could not fail ultimately to have the effect of preventing the enlightenment of the people; under the influence of such suspicions all education would be withered. He thought that a certain power of interference should be allowed to the laity; and as there was no one who knew anything of the business of conducting those schools who must not be aware that differences amongst the managing parties would sometimes arise, he thought it desirable that in such cases there should be a reference to the bishop of the diocese, with a power of appeal to the archbishop of the province; but he regretted that no sufficient provision was made for the settlement of such differences. He had known the case of a school in which the Committee were farmers: they admitted that the schoolmaster was a very improper person; but they said, he had a family of nine children, that he was fit for nothing else but teaching, and that if he lost the school all his children would become chargeable to the parish. Now, he would ask their Lordships, were they prepared to leave education in such a state? At the same time, he was far from saying that the laity ought to have no share in the management: his views were quite opposed to any plan for excluding the laity, and most certainly there was no desire on the part of the Church to exclude the laity, for he thought that no scheme of education would be successful if they were excluded from its management. It was desirable that they should have a great deal of power in the management, subject to the visitation of the bishop of the diocese. He felt that the matter had not been stated to their Lordships quite in the way in which he wished it. He desired nothing more than that the laity should co-operate with the clergy; and, so far from wishing the laity to be excluded from the schools, he should object to their exclusion. The opinion of the great body of the clergy was this: let the Committee manage everything, religious or secular, provided, first, that the Committee was *bonâ fide* a Committee of lay Churchmen; and, secondly, that there should be an appeal. All the clergy required was, that there should be Church teaching and Church schools; and, so far from their objecting to promote sound religious education, they would do everything for that object but sacrifice the principles of duty and conscience. Their jealousy arose from the system of semi-responsibility and a fear of what might be introduced hereafter. He could not consent that schoolmasters whose object might be to subvert the teaching of the Church, should be irremovable by any power whatever. This would have a direct tendency to encourage Dissenting schools. It was an old principle of the Church that in England, where there was no public Minister of Instruction, and therefore no legal authority to entertain such questions, they should be referred to the bishop of the diocese, who was appointed by the Crown. He entreated the noble Marquess not to believe that there was no feeling abroad upon this subject; there was a very deep feeling, the neglect of which might impair confidence, and subvert a plan very dear to the noble Marquess, to provide a wiser and better training for the people of this land.

The BISHOP of ST. DAVID'S said, he was upon many grounds glad that this subject had come before their Lordships. His reason for thinking the alarm which was felt was not without apparent foundation, was derived from the official documents in the hands of their Lordships, which showed a want of connexion between the instructions and the provisions; for, instead of a simple recommendation, other words were employed, implying that not so large a measure of liberty was allowed. But, having said this, he felt that he had gone as far as he was entitled to do; and it was with great pain he had heard from his right rev. Friends that the suspicion and distrust they felt had extended to a very large body of the Church. But he thought no sufficient grounds had been stated by his right rev. Brother (the Bishop of Oxford) for such an amount of alarm.

LORD STANLEY: My Lords, I have very few observations to offer to your Lordships upon this question. In point of fact, the question immediately before us appears to be trifling; but the principle involved in the question is not of such an immaterial nature as the question itself. The question is not, whether certain regulations shall be laid down for the management of schools; nor yet, whether the present regulations are the best that could be established; but, whether there shall be, at the will and pleasure of an anomalous body, a departure from regulations once established, and the introduction of new regulations and new institutions, by which fresh applications for schools are impeded and discouraged? The noble Lord opposite says one main object of these regulations is, to secure that Church schools should be managed *bonâ fide* on Church principles; and to that, I apprehend, neither my noble Friend who presented the petition, nor the petitioners themselves, nor any Member of your Lordships' House, would think of objecting. But the question is, whether the substantial change which has lately been introduced, or at least which the late proceedings of the Privy Council have given cause to believe has been introduced, does, in fact, affect the management and control of the schools? and, if so, whether that alteration has been introduced with sufficient notice to the parties concerned? The noble Marquess stated that the conditions which are now propounded are nothing more than the conditions which are actually the terms of union proposed by the National Society for the establishment of all their schools; and the noble Marquess not only went through all these regulations, but he went into the question which lies at the root of the present discussion—the introduction, as a *sine qua non*, of a board of management, consisting of laymen, as a condition on which these schools should receive aid from the State. Now, these regulations of the National Society provide for every possible case that can arise, and the establishment of managers, be they lay or clerical, as they are required to be in constant communication with the clergyman of the parish. But there is nothing in the regulations of the National Society which insists, as a condition of receiving the Government grant, that there should be established a lay committee of proprietors to interfere in the management of the school. In some cases, no doubt, such a committee may be wise and beneficial; in other cases it may be in the highest degree prejudicial. With the proprietors of estates the clergy may have no difficulty in working; but I think it would not only be useless, but prejudicial, that there should be an associated body of farmers, who, because perhaps they have subscribed 10*s*. each, yet have an influence in the management, and by a majority of voices may prevail over both the proprietors and the clergy. I do not, however, say that local boards of management may not be beneficial; but if you insist that no grant shall be given to a school which does not admit of lay interference by means of a committee, this is a regulation, as the petitioners contend, now introduced for the first time, and which is not only not required, but which is contrary to the practice of the National schools. I am quite sure all your Lordships will agree that it is desirable, in order to secure the object we all have in view, that the Government grant should only be made supplemental to local contributions; and I think it will not be denied that every new impediment which would check the flow of voluntary contributions is therefore to be avoided. And it ought to be remembered that you don't interfere with new restrictions upon other schools, but only with regard to Church schools. But, my Lords, it is not so much of the new impediments of which these petitioners complain, as the uncertainty and the entire absence of all security they have, that, after the promoters of a school have made every exertion—after they have matured their plans—after they have provided their contributions—after they have complied with all the conditions of the National Society—they may be suddenly told, "All your labour and expense is to go for nothing, for we have made new regulations, which will render all your proceedings fruitless." Both laity and clergy complain of these sudden and annoying restrictions, which are imposed by an anomalous authority, and which are frequently intimated to the clergy, not by authority of the Board themselves, but in a letter from their Secretary; for, while I have the highest respect for the gentleman who fills that office, and I believe that he is actuated solely by a desire to diffuse the means of education, I must say that great inconvenience has arisen from the practice. I can state a case where application was made to the Board for assistance, where an answer was received from the Secretary, stating the conditions which were thought necessary for receiving, and where, on subsequent explanation and remonstrance, and on the question being raised if that letter conveyed the deliberate sense of the Board, the parties were privately told to make no use of the Secretary's letter, because it was not an official document. But the great inconvenience arose from the alterations made by the Board varying from time to time, and from time to time introducing alterations; and I must concur with the right rev. Prelate (the Bishop of Oxford), and the noble Lord (Lord Lyttelton), in thinking that a great advantage would be gained if more specific notice were given by the Board, that no new restriction would be put upon the efforts of any denomination, but rather that existing restrictions should, as far as possible, be relaxed. I cannot help thinking that the great and fundamental evil of the whole system is, that too much and too great latitude is given to the Board, constituted as it is of a Committee of Privy Council, and that the principles and rules on which they act are not sufficiently defined and laid down by law. This is the original vice of the system. I objected to that principle in 1835; and certainly everything that has occurred since tends more strongly to fix that objection upon my mind. In consequence of this system, the clergy and laity really hardly know what to expect; when they see one trifling change made after another they lose all that confidence in the Board, and in the management of the Board, which it is most desirable should be maintained. I do not regret that this discussion has been raised; and I hope its effect will be, that we shall hear from the noble Marquess that no rules shall be laid down with so much stringency as that they may not be relaxed in special cases. I hope also the effect of this discussion will convince Her Majesty's Government of the inconvenience of any alteration in the rules; and that it will elicit from the noble Marquess a declaration of their determination to act upon the rules introduced in 1840, and that they have no desire to restrict closely, or to infringe largely, upon the liberty granted, on the one hand, to Dissenting schools, and on the other hand, to Church of England schools, of being managed on their respective principles, and in such a manner as the clergy and their friends may think most desirable.

The MARQUESS of LANSDOWNE: I have no reason to complain of the manner in which a right rev. Prelate adverted to an expression which fell from me in the course of the discussion with regard to the exclusion of the laity. I did not intend to use that expression in an offensive sense, but to point out that the effect of this application, if it were acceded to, would render the opinions of the clergy in all matters final and conclusive, and exclude the laity from everything but the power of subscribing. That is not the wish of the Committee of Privy Council, because we consider it essential to the cause of education amongst every denomination that there should be uniformity; but I do not know how that is to be obtained if the laity are to be practically, though unintentionally, excluded.

Petition read and ordered to lie on the table.

House adjourned.

HOUSE OF COMMONS,

Friday, March 3, 1848.

MINUTES.] PUBLIC BILLS. — 1° Diplomatic Relations, Court of Rome; Law of Entail (Scotland); Borough Police Superannuation Fund.

2° Leases of Mines (Ireland).

Reported.—Joint Stock Companies; Passengers.

PETITIONS PRESENTED. By several Hon. Members, from numerous Places, for and against the Jewish Disabilities Bill, and against the Roman Catholic Relief Bill.—By Mr. Mackinnon, from Southampton, and Mr. Thicknesse, from Lancashire, for a Repeal of the Duty on Attorneys' Certificates.—By Viscount Castlereagh, from Downshire, for Inquiry respecting the Excise Laws.—By Lord Courtenay, from Devonshire, for Inquiry respecting Malt.—By Mr. Alcock, and other Hon. Members, from several Places, against a Continuance of the Property Tax.—By Viscount Duncan, from Chipping Norton, and by Mr. Heald, from Lancashire, for a Repeal of the Window Tax.—By Mr. Bright, from Lancashire, for Placing the Beer Retailers on the same Footing as Licensed Victuallers.—By Mr. Adderley, from several Independent Orders of Odd Fellows, for an Extension of the Benefit Societies Act.—By Sir John Trollope, from Lincolnshire, in favour of the County Rates Bill.—By several Hon. Members, from numerous Places, against the Diplomatic Relations with the Court of Rome Bill.—By Viscount Castlereagh, from Downshire, for Encouragement to Schools connected with the Church Education Society (Ireland).—By Mr. Wakley, from Cheltenham, for an Alteration of the Law in favour of the National Land Company.—By Mr. Sharman Crawford, from Northampton, and by Mr. Hudson, from York, for Retrenchment in the Naval and Military Expenditure.—By Mr. Hudson, from Yorkshire, against a Repeal of the Navigation Laws.—By Mr. Henry Stuart, from Bedford, for an Alteration of the Poor Law.—From Guardians of the Union of Athy, Kildare, for an Alteration of the Poor Law (Ireland),—By Mr. E. J. Stanley, from the Officers of several Workhouses, for a Superannuation Fund for Poor Law Officers.—By the Chancellor of the Exchequer, from Halifax, in favour of the Public Health Bill.—By several Hon. Members, from various Places, for an Alteration of the Public Health Bill.—By Mr. A. Hastie, from Glasgow, and by Mr. Bright, from Somerset, for the Abolition of the Punishment of Death.—By Mr. Hindley, from several Places, for Referring War Disputes to Arbitration.

THE INCOME TAX.

The CHANCELLOR OF THE EXCHEQUER having moved the Order of the Day for going into Committee on Ways and Means,

MR. HORSMAN, pursuant to notice, rose to move as an Amendment—

> "That, if the income-tax be continued, it is expedient to amend the Act, and not to impose the same charge on incomes arising from professional and precarious sources as on those derived from realised property."

Before they went into Committee it would be well for them to consider whether some measure might not be devised to remove some of the inequalities which rendered the pressure of the tax so severe and oppressive. The question now came before them in a new form. The tax had assumed a permanent rather than a temporary character; and it now became the duty of the House to endeavour to overcome those difficulties by which it was surrounded—difficulties which were very painfully felt by the community, but the remedy of which had been too long deferred. They were bound to set themselves to work in a business-like manner, and to see whether they could not manage to fashion the tax in such a manner as to make it assume a shape more acceptable to the country than that which it now presented. The inconveniences which were patiently borne in bygone times, when people thought there was a prospect of the tax being of only temporary duration, became positive grievances when they found that all the inequalities and injustice of the impost were to be saddled on them for life. He would not say anything of the income-tax, or the principle of it, beyond what was absolutely necessary to strengthen his position; but this proposition he would not hesitate to advance, that when the Government found themselves compelled to have recourse to a tax, in its character so very objectionable, it was the duty of the House to take care that it was not made more onerous and oppressive than in its nature it necessarily was, by defects in their legislation. Until a very late period, the infliction of a war-tax (for such the income-tax was) in a time of peace, would have been considered as unaccountable a proceeding as though a Minister had in time of actual war proposed to disband the army. In the year 1842, the right hon. Baronet, then at the head of the Ministry, established the innovation; but the proposal he then made was enforced by such cogent reasons, based on so pressing an emergency, and recommended by promises of such large advantages, that the right hon. Baronet carried the House and the country along with him in his project. The country cordially accepted the measure then proposed, and the singular and unexpected result was witnessed of a Minister proposing a tax in itself the most odious and unpopular of all taxes, and yet making it clear to the whole world that he had gained popularity by the proposal. But the measure of the right hon. Baronet at that time had two extenuating, or, to speak more correctly, two recommendatory features. In the first place, it was accompanied by a large remission of taxation. The imposition of one burden was made instrumental in remitting several others. The income-tax, which was imposed in 1842, and renewed in 1845, was, with some minor taxes that accompanied it, estimated to raise a revenue of 5,600,000*l.*; but the taxes remitted from 1842 to 1845 inclusively amounted in the aggregate to something less than 7,000,000*l.* a year; so that, looked on merely in a pecuniary point of view, the public were considerable gainers by the change. But even that consideration of advantage would not have reconciled the public to a tax so odious and inquisitorial, had it not been demanded as the means of trying a great fiscal experiment, and had not an assurance been given that it was proposed to the country merely for a limited period. Those were the two extenuating features; and the right hon. Baronet then at the head of the Ministry, in proposing the tax, distinctly admitted that it stood in need of some such recommendations. The period originally proposed for its duration had expired, and the House was now asked to renew it under very different circumstances, and for a very different purpose. In the first place, the future proceeds of the tax, instead of going to the remission of other burdens, were to be applied to the current expenses of the country; and in the next place, instead of the tax being of limited duration, they were told that its infliction was to be perpetual. The right hon. Gentleman the Chancellor of the Exchequer—certainly not speaking entirely in his official capacity, but, nevertheless, disclosing the true state of his own convictions—had acknowledged that he expected the tax would be perpetual; and he even honestly admitted that had the 2 per cent additional been tacked on to it, as was contemplated a few evenings ago, he was not quite sure that we should ever get rid of it. In fact it was now pretty well understood in that House, and throughout the country generally, that the income-tax was to be bequeathed to posterity as a codicil to the national debt. The general feeling of the country was no doubt in favour of the principle of direct taxation; but then that feeling was accompanied by a conviction that such taxation ought to be made as equal, as even, and equitable in its pressure as possible. With the prospect, therefore, of a direct income-tax being now permanent, it became the duty of the Legislature to take care that if permanent it should not be defaced by permanent defects, but that it should be put in a business-like shape, so as to be made as acceptable to the country as such a tax could be. The table of that House might be covered with statements of cases where the infliction of the tax, with all the inequalities and oppressions which now distinguished it, was felt most painfully. He would not weary the House with going through them all, but would merely take three simple and familiar cases at three different periods of human life—cases such as must have presented themselves in great numbers to the observations of all hon. Members. In the first place, he would take the case of an annuitant. He would suppose him to be a retired public servant, a military or naval man, living on a yearly income—say on a retired pension. Let him be supposed to be 55 years of age, and to live on an income of 400*l.* a year. The Ministerial proposition was, that that man should be taxed the same as a fundholder who drew his 400*l.* a year from the public funds. Were their positions the same? The annuitant had his income merely for life, and it was subject to various large deductions for insurance and saving. The probable duration of his life was sixteen years, and his annuity of 400*l.* a year, calculated by an insurance table, would be valued at 4,300*l.* But the capital at the same rate of interest of the man who drew his 400*l.* a year from the funds was 10,000*l.* It was subject to no diminution, and no deduction whatever. If he died, his riches would survive him. How great was the difference! and yet in those two cases the proposal of the Ministry was, that both men being treated as though their fortunes were the same, and their faculty of payment the same, they should both be subjected to precisely the same tax. In the next case, let them take a man in the prime of life, suppose a professional man, a doctor of medicine. Let them suppose that he was forty-five years of age, in full practice, and making 5,000*l.* a year. He would have to pay precisely the same sum as if he were a landed proprietor who drew 5,000*l.* a year from his rents. The difference between them was this. The 5,000*l.* a year of the landed proprietor was a secure invariable income, above the vicissitudes of fortune. It was all income. The 5,000*l.* a year of the medical man was both income and capital. If he lived on his income, and spent the proceeds of his profession, his means would be exhausted; but if the landed proprietor were to spend in the year every farthing of the 5,000*l.* which he derived from his rents, his means would not be at all diminished. He had it for his life. Twenty-five years was the average duration of the medical man's life; but let it be calculated that his practice would continue undiminished for fifteen years, and the calculation would be a liberal one. An annuity purchased at his time of life at the same rate of interest as in the first instance would be only worth 45,000*l.*; but supposing him to be in full practice all that time, and every year to make 5,000*l.*, the aggregate amount of his receipts would be 75,000*l.* If he were to spend one-third of it (which, considering the appearances which a medical man had to keep up, was a very small calculation) and to lay by two-thirds, the utmost that he could lay by for his family would be 50,000*l.* The capital of the landed proprietor was 125,000*l.* Now in the case of the professional man, they had an income which had no existence but what was created by daily exertions in the most dangerous of professions; an income which depended on the health of the recipient, and ended with his life, and yet they taxed it in the same proportion as they taxed the revenues of that man whose income was secured for life, and perpetuated at death; an income which was inherited without any care, enjoyed without any risk, and which, at the recipient's exit from life, might be bequeathed without any diminution. The third illustration he would cite, was that of a younger man, who had neither income nor capital that he could call his own; a young man just entering life, and but recently engaged in the duties of a profession from which he expected to obtain the means of livelihood. Many thousands of such men there were, young men of education and talent, who had to strain every nerve, to surrender all physical comforts, and to sacrifice health itself, in order to eke out a scanty revenue, which was to be for some the very means of existence, and to others, men of greater ambition, the stepping-stone to ultimate advancement in an honourable profession. Now, in the cases of these men, the first fruits of their success—that success which had cost them weary days and sleepless nights—would be swallowed up by this odious tax of three per cent. It could not be said that the income of such men was taxed, for what was taken from them at the close of the year was perhaps the whole sum that remained to them over and above the whole proceeds of two years' exertions. In such cases the tax fell on a man's energies and abilities—the very things which of all others ought to be cherished, fostered, and protected by that House. Here at the very outset of life they put the young man, who as yet had not time or opportunity to win a position for himself, on the same footing in the scale of taxation with the richest noble in the land, ay, with the Sovereign on Her Throne, forgetting that a charge which only pruned the exuberance of a princely fortune, fell with a crushing force on that man whose precarious existence depended on his precarious health, rendered yet more precarious by daily exertion and midnight study. If there was any class in the community on whom that House ought to try to make taxation fall—he would not say lightly, but justly and humanely—it was the very class to whom he was now alluding, the class which comprised not only the professional beginners, but no inconsiderable proportion of our authors and artists—men whose income was the most precarious of all. There was no country in the world where genius linked with poverty endured so much privation as in this. There was no country where it overcame such obstacles, and had to undergo such endurances. Some times, as in the case of the late Mr. Haydon, misery unseating reason led to a catastrophe which brought to light a painful history of suffering, which otherwise would never have been revealed. But the case of that unhappy artist was not solitary. It represented large classes in this country of gifted men who pined in secret, and perished without any body to tell their dismal tale. That such classes should exist, was most deplorable. That House was bound to take care not to aggravate their sufferings. They were bound to take care that their legislation was not hostile, oppressive, or unjust to those who were of all others the most helpless—those who, though the last to complain, had to endure more actual misery than any class in the community. It might be objected to the remarks he was now making, that it was easier to criticise than to improve. He acknowledged that it was so; and he was free to confess that a Member who took exception to the policy of a Government was bound to suggest, if possible, some course more advantageous than that to which he objected. He admitted that the Government had serious difficulties to contend with; but he did not think that those difficulties were insuperable. He was decidedly of opinion that it was possible to make the pressure of the tax more equal and more just than it was at present. He was prepared to show that they could at least produce something which might be made the basis of a better measure; a measure not perfect in itself, but capable of being worked into such a shape as would render the tax more acceptable to the country at large. When this question was discussed on the first occasion, the right hon. Baronet who introduced it did not attempt to justify its inequalities. Neither did he attempt to justify them on any subsequent occasion. There was no occasion on which he had even apologised for those inequalities, otherwise than on the ground of their being temporary. He stated his opinion that, if it were designed to be a permanent tax, the House ought not to be asked to pass it in its present shape. They had a right, therefore, to assume, that if it had fallen to the right hon. Baronet to propose it as a permanent measure, he would have accompanied it with some suggestion for amendment in its details. Now that it was proposed to be perpetuated—[The CHANCELLOR of the EXCHEQUER: Renewed for three years]—he would take leave to ask what were the difficulties which Government found inseparable to removing the inequalities of which they complained? He was furnished with a precedent for the Motion he was now making, for he found that when the renewal of the tax was proposed in 1845, the hon. Member for Liskeard proposed a resolution which was in substance to the effect that Government were bound to propose the tax in a form in which its operation would be less unequal and inquisitorial than it then was. If that was true when there was a question of a renewal of the tax for three years, how much more so was it now that there was a prospect of its perpetuation? When first the tax was introduced, most of the leading Members spoke, and the noble Lord now at the head of the Government expressed himself with particular clearness and force. He used these words in 1842:—

> "This inequality of its operation is not denied by any one, and indeed it would be impossible to deny it. It is obvious that if you take three or four persons having each 300*l*. a year, the pressure of the tax may be most unequal. The first may derive his income from some permanent property; a second may be in the receipt of a terminable annuity; while the third may be a person engaged in some dangerous or unhealthy profession—say, for instance, a surgeon in country practice, who lays by a small part of his income as a future provision for his family. In the case of such a man you are taxing capital as well as income. Another man may be engaged in a trade in which his profits are very uncertain—his gains may be inconsiderable one year, less in the next—and in another year he may even be liable to losses greater than his gains, making it impossible for him to lay anything by for his family. Must not the tax in such cases operate with very great inequality? Must it not appear very hard to take from a trader so circumstanced the same proportion of his trading profits as you take from one whose income is permanent and secure? Is the existence of this inequality denied? By no means."

In 1845, the noble Lord thus expressed himself:—

> "I have always been of opinion that inequality, vexation, and fraud were inherent in such a tax. It is impossible to deny its inequality, for no man can say that it is equal; for a person who has an income derived from a landed estate, or from the funds, which he could leave to his children entire, is not in the same position as a person in a profession—a surgeon or an artist—whose bread depends upon his health and the vigour of his constitution, and who, by the loss of a limb or a defect of eyesight, may at any moment be deprived of the means of earning any income at all. No man can say that these two persons were

similarly situated. Neither can any person fairly deny that great vexation is inseparable from this tax. No one can deny that a person who is engaged in trade, and who must either submit to the payment demanded of him, or show all his accounts, and expose all the matters in which he is engaged to the persons appointed by the Government—no one can deny that such a person is not subject to very great vexation; and then, with regard to fraud and evasion, I believe no man who has been concerned in the collection of this tax will deny that his experience has shown that great frauds are practised under this tax—that the man of the most integrity and the most honour, and who gave his returns fairly, was subjected to the greatest imposition of the tax, while those who wished to evade the tax either found the means of doing so, or entangled themselves and the Government in the most expensive proceedings. Such being the faults of this tax, and having heard from the right hon. Gentleman on Friday night that they were faults inseparable from it, I might have well conceived that by different modifications, and by alterations with respect to uncertain incomes, and by changing particular provisions which bore hard upon particular classes, the tax might be made more equal and less vexatious. The right hon. Gentleman has now had three years to overlook and observe the working of this tax, and there can be no reason that I am aware of why he should not make it more equal and less vexatious if he chooses."

So much for the noble Lord's opinions as to the inequality of the tax. The noble Lord then went on to prophesy that the result of levying the tax in its then shape would be to excite great discontent, and to give rise to general outcry. That prophesy was in progress of accomplishment. The tax was every day becoming more unpopular; and if the feeling against it were to continue, no Minister would be able to perpetuate it. That was the opinion of the noble Lord, and he could quote a great many other opinions on the same subject. Perhaps one other was extremely important at this time, and he might be permitted to add it to that of the noble Lord which he had already stated. It might be considered that those views of the noble Lord were merely his own, and that when he came to the head of the Government he might not have the absolute power of carrying out those views, and that it was necessary he should take with him the concurrence of the Chancellor of the Exchequer. If on this question his right hon. Friend differed with the noble Lord, it might be to him a cause of embarrassment in deciding on the course he should take. But happily the noble Lord had a Colleague whose views were as enlightened as his own; and this was the language which was used by the right hon. Gentleman in 1845. He said that, with regard to the general argument against the income-tax—its inequality, injustice, and vexation—no attempt had been made to answer it; and it was of its arbitrary, unjust, and unequal pressure on different incomes, that the country complained. Here again he would call attention to the danger which was foreseen and predicted by the Chancellor of the Exchequer. He said, although the income-tax might be passed by persons ignorant of the effect it produced when it existed before, yet his firm conviction was, that it would be impossible to maintain it; and would it not be a most mischievous course to place the credit of the country on a basis that could not be permanently maintained? He thought that those two speeches showed great sagacity and foresight. It was impossible for any one to deny, that within the last fortnight a great change had exhibited itself in the feelings and language of large parties in this country respecting this tax. In many districts it appeared to be the opinion of well-informed parties, that this tax was becoming so unpopular, that it was doubtful whether any future Chancellor of the Exchequer could trust to its being continued. The inequality and injustice of the tax was admitted; it was moreover stated, that it might lead to a condition of their finances which no one could contemplate without great apprehension and alarm. He should next come to the position in which they at present stood, and the duties they had to perform; and whatever difficulties might present themselves in their way, they should face them in a bold and statesmanlike manner; and although they might not be able to form a perfect measure, they should at least be determined to make it as perfect as they could by their industry, energy, and determination. He would not have felt himself justified in finding so much fault with what he thought had been a serious omission on the part of the Government, unless he had satisfied himself that the subject was not one girded with such difficulties as to make them altogether insurmountable. He held in his hand a return of the proceeds of the property-tax for the years 1843, 1844, and 1845; the year 1846 was in a later return, and if the House were kind enough to give him its attention for a few moments, he would endeavour to state to them why he was perfectly confident he could prove that they might remodel this Act in such a manner as to make it, compared with what it is now, a faultless measure. They might make it a more equitable and acceptable Act than it was at present. The receipts in the year 1845, under the five schedules, amounted to the following sums:—under Schedule A the amount received was 2,528,721*l.*; under Schedule B, 324,339*l.*; under Schedule C, 744,019*l.*; under Schedule D, 1,678,595*l.*; under Schedule E, 327,769*l.*; that being a tax of 3 per cent on the profits of the country. The following were the profits taxed at 3 per cent under the separate schedules. The profits taxed under Schedule A, 86,698,100*l.*; under Schedule B, 11,120,200*l.*; under Schedule C, 25,509,200*l.*; under Schedule D, 57,511,700*l.*; under Schedule E, 11,237,800. So that the whole profits under those five schedules, in those five years, amounted to a sum of 192,117,000*l.* in round numbers. Now, that being the whole profits, by which he meant the whole income of the country, they should consider if they could devise any mode of capitalising that income, or any approximation to it, which would help them to arrive at some conclusion as to the relative portion of tax which should be paid under the different schedules. He had endeavoured to arrive at some approximation to it in the following manner. Taking 4 per cent as the rate of interest at which he had made all the calculations, he took the income or profits under Schedule A at twenty-five years' purchase, and that would make the capital represented by that sum 2,167,452,500*l.* Of course, he would take the income or profits under Schedule C at the same rate, namely, twenty-five years' purchase, and that would give 637,730,000*l.* Now, the other three schedules might be open, of course, to some criticism and objection; but still he did not think he had come to a conclusion that was liable to much objection; and he might, perhaps, beg this favour of the House, that although the whole of the conclusions he had arrived at did not depend entirely upon the tables he was now quoting, he might ask them, until he got to the end of his calculation, to suspend their judgment upon it. Now, with respect to the three other schedules, B, D, and E, he had made his calculation in this manner. He would take them to be like life annuitants, and assume the average value of all lives above twenty-five to be, at 4 per cent, worth twelve years' purchase. If, then, they took the income under the three other schedules as life-annuities, worth twelve years' purchase, they would come to the following results: Under Schedule B they would have a capital represented of 133,442,400*l.*; under Schedule D, 690,140,400*l.*; and under Schedule E, 134,853,600. So that, calculating the income upon permanent and realised property at twenty-five years' purchase, and calculating the income from precarious resources as life-annuities as worth twelve years' purchase at 4 per cent, they would arrive at this conclusion, that the whole capital of the country which fell under the income-tax, held in the hands of parties with more than 150*l.* a year, would amount to 3,763,618,900*l.* And if they tested that by other returns and calculations of the capital of the country, he did not believe they would find any reason to think that that conclusion was materially incorrect. The reason he had made that calculation was, that they might arrive at some sort of judgment as to the rate of tax they should propose on precarious and permanent incomes. By the present income-tax a sum of 5,600,000*l.* being paid up on the capital which he had just stated, would make a payment of one farthing and a half on 1*l.* of capital. Now, a farthing and a half per 1*l.* of capital was thirty-seven farthings and a half, or ninepence and a fraction, of income, or 3*l.* 15*s.* per 100*l.*, calculating always at 4 per cent. According to the calculation, if they took the relative value of permanent property and precarious property — the one being worth twenty-five years' purchase, the other an annuity at twelve years' purchase—the conclusion he arrived at, as bearing on their relative proportions, was this, that ninepence in the pound became the share to be charged on private property. Then, as to the other schedules, B, D, and E, one farthing and a half per pound at twelve years' purchase was 4½*d.* of income, or 1*l.* 17*s.* 6*d.* per 100*l.* Then let them compare those rates of charge with those paid under the present Act, and it would appear, as 9*d.* in Schedule A and C is to 7*d.*, and 4½*d.* in Schedules B, D, and E is to 7*d.*, so would the sums received under the old and new charge in each schedule be to one another. If they levied the tax under the new calculation, that would have been under Schedule A, instead of 2,528,721*l.*, a sum of 3,251,179*l.*; under Schedules B, C, and D, there would also be a variation, but the final result would be, that by an adjustment of the tax in this manner they would arrive at an amount of income not varying much from that paid under the tax in late years. In the year 1845, and in 1846, the sum paid was about 5,600,000*l.*; and under this rate of charge the sum would be about 5,700,000*l.* But he felt that rate would be extremely defective and liable to great objection, and could not be proposed, and ought not to be entertained; and for this very obvious reason, that with respect to the income under Schedule D it falls into the error into which the present Act fell—it makes the two sources of income under Schedule D—one arising from professions, and the other from trade and commerce in which capital is invested—liable to be taxed equally; and that could never be the intention of an Act which affected to remove this inequality. They must try to ascertain how far this part of Schedule D could be readjusted so as to make a difference between income derived entirely from a precarious source, and that in which capital is invested. The tax in Schedules A and C was all proceeding from realised capital. Then there was the income arising from professions—from labour, skill, and industry; and he might assume that the income arising from trade and manufactures was one-half labour and skill, and one-half capital invested. In this manner if they took twenty-five years' purchase for permanent property, and twelve years'purchase for professions, they would get a just and intermediate rate for trade and commerce of eighteen years' purchase. If they thus readjusted their tables, leaving Schedule B as it is at present, they would arrive at the following conclusion: Schedule A at 9*d.* would produce 3,251,179*l.*; B, unchanged, 324,339*l.*; C at 9*d.*, 956,600*l.*; D at 6*d.*, as a mean, 1,440,933*l.*; and E at 4½*d.*, 210,710*l.* They would by this scale, by increasing the higher tax to 9*d.*, and altering the smaller one to 4½*d.* get a total 6,183,761*l.*; and taking the present income at 5,600,000*l.*, that would give a surplus of 583,761*l.* These were the two calculations he had made; but he could not expect the House to go along with him, for he felt it was impossible for him to make them sufficiently intelligible; and even if the subject itself was a simpler one, it would be impossible for him to state it as clearly as he could desire. However, there was part of the plan he thought he could make intelligible, and he begged the House would be kind enough for a moment to give him its attention. What he proposed to do was this. The great defect in the present Act, according to his view of its inequality was, that under Schedule D they had two different kinds of income included, namely, the income arising from trade and commerce, and the income arising from professions in which capital was not invested. Now, they might make this change in the first place—they might keep the same number of schedules, but adjust them differently. Let them put the professions in Schedule E, which is also composed of precarious incomes, and leave Schedule D entirely to incomes arising from the profits of trade and business. If they did that, and made the scale of taxation on A and C lower than he had already named—if they merely raised the taxation in A and C 1*d.* per pound, so as to make it 8*d.* per pound—if they made the tax on professions 4*d.* per pound, and put an intermediate tax on trade and commerce of 6*d.* per pound, then they would arrive at results which they could easily compare with the results under the present table, and they would see that by a small increase of burden under Schedule A, they would give relief to all the other classes, and would be able to raise the tax without vexation and complaints, and still have the same amount of revenue as they had at that moment. He could assume, that under Schedule D, two-thirds of the present income were derived from trade and business, and one-third only from professions. Now, suppose under Schedule A they imposed 8*d.* in the pound, that is 3*l.* 6*s.* 8*d.* per 100*l.*, that would give them, under Schedule A, 2,894,000*l.*, instead of 2,528,721*l.*, the amount it produces at present; under B, they would have the same as now; under C, at 8*d.*, 849,595*l.*, instead of 744,019*l.*, the amount at present: under D, imposing upon trade and commerce 6*d.* per pound instead of 7*d.*, they would have an income of 959,000*l.* instead of 1,678,595*l.*, which it produces at present; and under E, imposing 4*d.*, instead of 7*d.*, they would have an income of 235,796*l.*, instead of 327,769*l.* as they now had. The result of these schedules, making the highest at 8*d.* per pound, the lowest at 4*d.*, and the intermediate one on trade and commerce at 6*d.*, would give a total income of 5,581,000*l.*, whereas the calculated income of the present year, according to the budget of the present year, was 5,200,000*l.* They would, therefore, according to the return already before them — have by a readjustment of the scale a surplus of 380,000*l.* upon the estimated budget of the present year. He was aware, that even the figures and calculations he had made out for himself, he had stated imperfectly and confusedly to the House; and he had avoided going unnecessarily into all the changes proposed. He was aware also that the plan which he had ventured to suggest might be liable to some objection; but in a few words he would show how obvious were the advantages of that plan. Every person admitted that nothing could be more unequal or objectionable than the present tax, which imposed a uniform rate of 7*d.* in the pound. Well, his proposal, founded on calculations that could be tested, and could not be disputed, showed the scales he proposed were just—that is to say, that the parties who would not pay the highest rate of taxation under the new scale, at least paid at present something more than they ought to pay by an accurate calculation. His proposal was that they should fix upon permanent income a tax of 8*d.* in the pound instead of 7*d.*, which it now paid; upon trade and commerce 6*d.* in the pound instead of 7*d.* that it now paid; and on all professional incomes and precarious incomes that were terminable, and expired with the parties 4*d.* in the pound instead of 7*d.* By that means they would give relief to the classes who felt they were pressed upon by the operation of the present Act. This plan would only impose a burden upon property, namely, the additional penny on permanent income; but he thought that that would be cheaply purchased by the large amount of relief it would give, by the great satisfaction it would afford, by the ease with which the tax would be collected, and by its being felt through the country to be reasonable, just, and equitable. And though it might not in detail be a perfect system of taxation, yet he was sure its imperfection was nothing when compared to the defects and imperfections of the tax as now existing. He was quite sure the public at large could not expect anything like perfect legislation; but they of course expected that they would apply themselves to the subject in a business-like manner, and improve the tax to the utmost of their power; and at least they might show them that they could devise a tax which would be equal in its operation, and not so unsatisfactory as to be felt unjust in its results. In conclusion, the hon. Gentleman moved the Amendment.

Mr. ELLICE felt himself so peculiarly circumstanced with respect to the question before the House, that he took the opportunity of rising to speak on it immediately after his hon. Friend who had submitted this proposition as an Amendment to the Motion of the right hon. Gentleman the Chancellor of the Exchequer. His object was to explain the grounds on which he thought it was essential, under present circumstances, even against the opinions he had before stated in that House, to give his firm and decided support to Her Majesty's Government. He would not follow his hon. Friend into his detail with respect to the inequality of the tax, for no argument had been more strongly urged with regard to the anomalies and inequality of the tax than that which he had himself stated in the House. His opinion of the inequality of the tax had been in no respect changed by the experience they had had of its operation since it was imposed by the right hon. Baronet opposite; but still there were some peculiar circumstances of the country—some reason why he thought they should pause before they adopted any new experiments, or even went immediately into the consideration of them, which weighed with him very much more than any advantage he could see in following the calculations according to the present statement of the hon. Gentleman. When the right hon. Baronet opposite proposed this tax, he supported the proposition on two grounds; and in doing so he differed from his noble Friend now First Minister of the Crown, and many of his hon. Friends who acted with him on that occasion. He then supported it because he thought there was almost an impossibility of proposing any scheme of taxation to that House which could at that time have restored their finances to the condition in which every well-wisher of his country should desire to see them. He supported it, secondly, on the ground that it might enable them to make certain reforms in their fiscal arrangements, essential to relieve the industry of the country and give a new impetus to commerce. He must say, the results which he had anticipated when supporting the tax had been fully realised, by the effects it had produced both on the finances of the country, and by giving that relief to trade which had replenished their exchequer. [*Ironical cheers.*] He did not see why Gentlemen should make use of that derisive cheer; he did not shrink from expressing the opinions he had maintained in that House. The first duty they had to look to was to relieve their industry from those burdens which weighed heavily on its springs, and seek to increase the productive power of the country, so as to add to its wealth. He saw now no reason to alter the opinions which had induced him to give his support to the measure of the right hon. Gentleman. Though he had thought it necessary to support the proposition of the right hon. Gentleman on the ground he had stated, still he admitted, with the hon. Gentleman who now made the proposition, that the old income-tax was most unequal in its operation; and he divided, he remembered, with the hon. Member for Bath, who made a proposition that industrial income should be taxed at one-half of the income arising from capital. He thought the time had very nearly come when it would be necessary for the House to review the whole system of taxation, for the purpose of determining what portion of that taxation should remain under the head of direct taxes, and what portion of the industry of the country could still bear taxation under the head of indirect taxation. He thought that some of the duties on consumption had been taken off without adequate consideration. The timber duties might be said to have produced considerable revenue; and though he was quite willing that what was called the inequality of the duties between colonial timber and foreign timber—he referred to the differential duties—should be got rid of, he thought they might have maintained an equal duty without interfering in any great degree with the commercial interests of the country. He was not disposed to think that in the present state of the finances of the country, and with the enormous debt that weighed upon them, they could entirely abandon the duty upon consumption as a source of income. He might say, with respect to the income-tax generally, that, although he might concur in many of the complaints made against it by his hon. Friend opposite, yet, on going into the various considerations that could be urged in favour of taxation from income as well as taxation on property, a great deal could be said on each side of the question. To some persons Providence had given property; to others, talents greater than those possessed by ordinary men. But he was not going to assert that that proved the right of taxing both equally. He was fully aware of the great opposition which the measure of the Government had experienced out of doors, and of the many public meetings at which it had been condemned. But he should like to know how many of the persons who composed those public meetings were contributors to the income-tax. His hon. Friend suggested to him that they were very numerous. They might be; but he should like to know what was their proportion to the remainder of the assemblage. He was perfectly aware that petitions against the tax had been signed by persons who were not contributors to it, but who opposed it because they thought that Her Majesty's Government wanted money to squander it on things that were not necessary. Now, it was his duty in that House to show the people that the Government wanted it for no such purpose. If he thought he was giving his right hon. Friend one shilling more than the absolute necessities of the country required, much as he was attached to him, and to those who sat near him, they should not rely upon his vote. He denied that the income-tax was one that weighed directly upon the poorer classes of the country. He admitted that it was very true that the commercial interests of the country had never emerged from such a weight of misfortune and difficulty as that from which they had lately come forth. But whether they could get rid of the anomalies which surrounded the present tax or not, he thought that it was the least reprehensible and the most practicable mode of supplying the deficiency of the income. They must have recourse to direct taxation. If so, was it not much better, even with all the objections to the present tax, and with all the inconveniences to the people attendant upon it, not to disturb the order of things that existed? He did not mean to say, that when the tax was first proposed to the House and the public, that it was intended to be continued, or he would not have given it his support. But he was induced to support its continuance now, for the reason he had given, and for no other reason also, because Her Majesty's Government had already given way to the wishes of the country and the House by abandoning their original proposition. They had come down to the House and said that they bent and bowed to the wishes of the country, and they asked merely that the House would place the resources of the country in that state of security that would render it safe for them to undertake the management of affairs; and did his hon. Friend think that because the Government made one concession, he should drive them to make another? Let him only suppose the case of each hon. Member who had a peculiar objection urging his own particular view, and that they were thereby to weaken the Government, would not his hon. Friend, he asked him, think such a course most injurious to the best interests of the country? He could not mistake the symptoms of the times. Since the financial plan of the Government had been submitted to the House by his noble Friend at the head of the Administration, great changes had taken place elsewhere. He was not going to allude to those changes for any political purpose. So far as he could understand the great revolution that had taken place in another country, the Provisional Government was conducted by honest and able men, who were acting for the good of their country, and maintaining peace and order. And he believed, from his own knowledge of some of those men, that however wild he might some time since have thought their aspirations, he believed them sincere and honest in their desire to secure peace throughout the world, and to restore order and tranquillity throughout Europe. But although he gave them full credit for such intentions, so far as regarded all events that might arise within their control, he asked was there nothing in the unsettled state of things which made it desirable that the policy of that House should be to place the defences of the country on safe grounds? They should remember that credit was easily affected by revolutions. He hoped no such thing might take place. He hoped no such danger might arise. But they should not shut their eyes to the possibility of such events happening as would make it necessary for them to place their credit at once upon the firmest possible foundation. He was afraid that the finances of all the countries of Europe had got into a worse condition than they need, from the conflict in warlike preparation which had been occasioned by jealousies between the nations. He regretted the existence of those jealousies. And so far as he thought it safe to effect economical reductions in expenses, where he thought it prudent and consistent with the interests of the nation, his hon. Friend behind him would find him with him, in the Committee they were about to refer the expenses to, in keeping a vigilant eye with a view to the effecting of economical reductions. The Provisional Government of France had succeeded to a state of dilapidated revenue. He would not say of actually dilapidated revenue, because the revenue was equal to all demands that could be made upon it. But the Government had succeeded to a state of things where credit had been stretched to the utmost, where it was most difficult to keep it up, and where the most patriotic Government would have the greatest difficulty in sustaining it. If, then, with such a condition of things, there were a probability of difficulties occurring abroad, was it not the more incumbent on them to be prepared? Questions had arisen regarding the enormous addition that had been made to the expenditure of the country since Earl Grey had been at the head of the Government. The country would no doubt require the Committee to examine into the causes which had led to that increase. But the greater part of the taxation was rendered necessary by the enormous debt which had been incurred by the country for the prosecution of former wars. For instance, if they looked to the years 1813 or 1814, they would find that with an income of from 27,000,000*l.* to 30,000,000*l.*, they had an expenditure of 50,000,000*l.* to 60,000,000*l.* It was the interest of the debt, and the expenses that could not be avoided—it was the 32,000,000*l.* that bore upon the country, and the remaining 18,000,000*l.* was not a very heavy expenditure for this country, the possessions of which reached from one side of the globe to the other. It would, however, be for his hon. Friend to look at the items with an economical and rigorous eye. But he thought it would be dangerous for the people out of doors to be allowed to suppose that the House was unwilling to vote the supply which was really necessary to meet the expenditure; and he, for one, would not flinch from bearing his share of the unpopularity attaching to the support of Her Majesty's Government under the present circumstances. It had been said, "Why not take the tax for one year, and let it be seen whether in the interim certain circumstances might not be found whereby its present anomalies might be obviated?" But he said that the best time for them to look into and revise their whole system of taxation was when the Treasury was placed in a condition beyond the fear of deficiency. The income-tax in its present shape was no greater burden to the country than it had been for the last six years; and the objection to its reimposition might be obviated by giving notice to the Government and the country that it was the intention of the House to review the whole system of taxation, with a view not only to the arrangement of that tax, but also the legacy duties and other imposts; that it was the intention of the House, at a proper time and fitting season, to take up the entire question and solve it for the benefit of the public. But let them have time to do so. It was not whilst the Treasury was dependent upon an annual vote from the country for the means of going on, that it should be done. By adopting his suggestion, they might restore the finances to the condition in which every hon. Member must desire to see them—placed above impeachment, and beyond the risk of injuring the national credit of the resources of the country.

MR. NEWDEGATE was sure that the hon. Gentlemen who sat on the opposite side of the House were much indebted to the right hon. Gentleman the Member for Coventry for thus endeavouring to heal those difficulties which had prevailed among them. On the Government side of the House the hon. Gentlemen professing free-trade opinions were all discontented and dissatisfied. Why? They had had the commercial and financial measures of late years all their own way. They were discontented with the result, and so fell foul of the Government, whose only fault was, that they attempted to carry out the principles professed by the free-traders themselves, who now assailed them. But he could not agree with the hon. Member for Cockermouth, who seemed absolutely so enamoured of an income-tax, that he took it to his bosom and cherished it, in the hope that he should be able to remove its anomalies. His view of this question was, that this tax was proposed as a temporary tax—that it was one most obnoxious in character—and that nothing they could do with it could render it a just tax; and though he was willing to submit to its imposition for three years more, because he thought the circumstances of the country required it, yet he would do nothing whatever that should tend to give it the character of permanency. Now, with respect to the circumstances which had rendered the renewal of this tax necessary, he considered the country ought to know, that it was the new commercial system they had had of late years established that had now made its imposition a matter of necessity. When it was first imposed by the right hon. Baronet the Member for Tamworth, it was introduced as a temporary tax; and he would be bound that the far greater portion of those who then followed the right hon. Baronet had not the slightest intention that this tax should become a permanent system. The right hon. Baronet, after he had once obtained the income-tax, proceeded gradually to remove the duties on which their revenue was formerly levied: he, in fact, caused the present deficiency, and now it appeared that the country was not so well pleased with the result. But the following figures would show that if hon. Gentlemen who sat on his (the Conservative) side of the House, felt it necessary to support this income-tax, it was only because they felt it necessary to submit to it as the inevitable and evil consequence of the financial policy adopted during the last few years:—

The revenue of 1847 was ...	£51,362,000
Deduct income and property-tax	5,450,000
Revenue from ordinary sources	£45,912,000
Revenue from ordinary sources, for the year 1841, before the income-tax was imposed	£47,917,000
Ditto, 1847	45,912,000
Minus	£2,005,000
Customs, Excise, and Taxes repealed or reduced between the years 1841 and 1848 ...	£8,100,000
Income and property-tax, 1846-7	5,450,000
Minus	£2,650,000
Actual deficiency of income below expenditure	£2,955,683
Difference between Customs and Taxes repealed in six years compared against Income-tax	2,650,000
	£305,683

Which was about equal to the falling-off in the ordinary revenue of last year (1846), including the whole income-tax below that of 1842, including a very small part of it. They had a Chinese war in 1841, and they had had a Kaffir war in 1847; so he thought that those who preferred direct taxation ought to be pleased. But they were told that the commercial classes were not in a state to bear the burden of this tax. How strange this must seem to those who had been taught by the free-traders to expect that the position of the commercial classes was to have so much improved under the recent system, that, according to the letter of the right hon. Baronet to the burghers of Elbing, it would be just that they should bear the burden of the income-tax. But let them look at the condition to which they had come. Let the House consider the position of our trade in 1846, which, notwithstanding all that had been said, was no year of scarcity; for the value of the corn imported in the year 1841 was greater than the value of the corn imported in 1846 by no less than 1,000,000*l*. The official value of exports was greater in 1846 than in 1841, by 31,000,000*l*.; and the declared value of exports was greater in 1846 than in 1841 by 6,000,000*l*. Now, the increase in official value was a test of quantity, for the official scale of prices had been fixed more than a century, and remained, therefore, a mere index of the quantity of goods exported, which, when compared with the real or declared value, showed that the exports, though they had increased in quantity, had decreased in value, in 1846, as compared with 1841, by 15 per cent. It might likewise be shown that they had decreased in value 17 per cent in 1847. They might call that a happy or a prosperous trade if they chose, because it was a great trade; but in his opinion it appeared more like what he had frequently heard it called by his hon. Friend the Member for Birmingham, "a trade that did not pay." But it was said that there had been a reduction on the articles imported to be used in manufactures; but that was only to the extent of three or four per cent upon the cost of the manufactured article; and they might fairly calculate that their extended trade of these five years had been, in reality, at a depreciation of 17 per cent on their profits. But how stood their imports, to foster which they had had this income-tax imposed upon them? Their imports, under the free-trade measures, had increased, in 1846, over those of 1841, by 18 per cent; whilst the exports had increased, in declared value, by only 12 per cent; showing a balance of trade against this country of six per cent. And let it be remembered, that by their monetary system, they had bound themselves under the penalty of a commercial crisis not to allow the balance of trade to be to any considerable extent, or for any lengthened period, against this country. They could not force their exports beyond a certain point, even at an enormous sacrifice of their value; and when he said this, let him remind the House, that, in the course of the past year, he moved for certain returns connected with the tariffs of foreign countries. Now, these returns showed that though there had been some reductions of their tariffs made by foreign countries since 1844, in certain cases, yet that by far the greater part of them was upon articles that did not affect our commerce—and that in other instances foreign States had raised of late years the duties on our imports into foreign countries, and reduced them on their own exports to ours. The following statement would show how the case was as regarded Russia:—The alterations made in the Russian tariff may be brought under three heads—1. Articles which become subject to a high protective duty, instead of being entirely prohibited; 2. Articles on which the import duties were increased; and, 3. Those on which the duties were decreased. To the first class belong chiefly articles of art and luxury; such as chandeliers, watches, worked marble, &c.; they are seven in number, and but little affect English trade. The alteration was made in May, 1845. To the second class belong mineral alkalis, on which duty was raised from 1*s*. 6*d*. to 3*s*. 1*d*. per cwt. in June, 1846. To the third class belong ten articles of South American production, such as spices, coffee, dyewoods, indigo, &c.; also one article of black cloth, kerseymeres, earthenwares, and crushed lump sugar for local refiners only. The alteration was made in the course of 1846. These alterations affect but little our English manufactures, and refer chiefly to Russia's intercourse with South America and other countries. They form, besides, but a very insignificant proportion in the number of articles (more than 500) in the protective and prohibitive tariff of Russia. How little our manufactures have profited by the above alterations may be gathered from the following table of the exports of our manufactures to Russia in 1846 and 1847:—

Articles.	1846.	1847.
Cotton twist and yarn	12,110,118lbs.	9,314,845 duty unalt.
Thread for sewing	16,493	7,309 ditto.
Plain calicoes	819,594yds	741,327
Printed calicoes	192,131	84,267
Cambrics, muslins, lawns, and lenos	22,056	14,213
Heavy wools	2,148	847

With regard to the United States, too, how stood the question? There were, he believed, only five articles in their tariff on which the duty was reduced below 20 per cent; and only one of late years declared free of duty, and that conveyed a high compliment to the hon. Member for Birmingham: it was the article he manufactured—"ship sheathing." The rest of the duties in the American tariff varied from 40 to 20 per cent *ad valorem.* He would refer to some of those which affected the produce and manufactures of this country:—

	Ad valorem.
Cut glass	40 per cent.
Carpets	30 per cent.
Clocks	"
Clothing, made up	"
Iron—Bar, bolt, pig, rod, &c.	"
Jewellery	"
Manufactures, viz.—	
Leather	"
Wool	"
Paper	"
Wool unmanufactured ...	"
Cotton manufactures ...	25 per cent.
Silk	"
Worsted	"
Yarn—Woollen and worsted	"
Blankets	20 per cent.
Leather tanned, sole and upper	"
Linen of all kinds ...	"
Flax	"
Paper hangings ...	"
Steel unenumerated ...	"
Velvet cotton	"
Wheat	"
—— Flour	"
Woollen listings ...	"
Chronometers ...	10 per cent.

And now let him draw the attention of the House to the effect of the reduction of her import duties instituted by this country under the system of free trade, and to the cost of the revenue. What had been the result of their remission of the duties in regard to timber? On Crown fir timber from the Baltic ports the duty was reduced from 26*s.* 3*d.* to 20*s.* per load. Before the reduction of duty in 1846, the price, in bond, was per load 66*s.* 3*d.*, while in 1847 the average price was 75*s.* The price has thus risen 13 per cent, and the duty reduced 24 per cent. And the same was the case with regard to spirits:—

Spirits (Duty Reduced on the 18th March, 1846, from 22*s.* 6*d.* to 15*s.*)

Entered for Home Consumption.

1846.	Gallons.	Duty Paid.	Loss of Revenue.
Brandy...	1,514,893...	£1,165,478...	£568,085
Geneva...	39,910...	30,409...	14,966
1847.			
Brandy...	1,537,762...	1,153,164...	576,660
Geneva...	28,830...	30,409...	10,812
			£1,170,523

Average Price of Brandy in Bond.

Per Gal.	Per Gal.	Per Gal.
1845, 4*s.* 3*d.* ...	1846, 5*s.* 8½*d.* ...	1847, 5*s.* 11*d.*

So that while we have reduced the duty by 33 per cent, foreigners have raised the price by nearly 40 per cent, and have thus pocketed the reduction. The same results were discernible with respect to other articles, on which the duty had been reduced. But there was another lamentable consequence attending the present state of affairs, and the adoption of direct taxation by the property and income-tax, in lieu of indirect taxation. There was throughout the country a serious dispute as to what part of the population should bear the burden of taxation; and this arose from their having abandoned the only system by which they could collect taxation without grievous annoyance to the community. What stronger illustration could they have of this fact, than was to be found in the circumstance of a Government coming down to Parliament and showing a deficiency which the country, on their statement of their mode of supplying it, refused to make good in the manner proposed? Had the Government lost the confidence of the country? He did not know that they had; but the fact was, that their form of taxation was so obnoxious that the people would not support the Government they were content to see in power, because they would not pay the taxation they imposed in the manner the Government proposed it should be levied. But what was it that was now proposed? The hon. Member for Cockermouth got up and said that this income-tax was a most charming system of taxation—that it was the basis of free trade, and the system on which, for the future, the country must rest its means of credit as well as of national defence; and that the House should at once embrace it as a permanent system? But against any such proposition he (Mr. Newdegate) would record his vote, and with the fullest conviction that, in doing so, he should be doing his duty to his constituents and the community at large. But, with reference to the proposition to make the income-tax upon land and real property heavier than it now was, let the House consider what were the burdens to which such property was subject already. A Committee of the House of Lords had inquired into this subject, and what was the report they had presented? The following was an extract:—

> "The objects for which the above restrictions and taxes are imposed are all of a public nature, and interest alike the possessor of personal property and the landowner, who derives his whole income from realty. The prohibition to grow tobacco, and the restriction on the use of malt for agricultural purposes, are imposed for the protection of the revenue raised for the general purposes of the State. The stamp duties levied in connexion with real property are applied to the same objects; and the direct charges, which constitute the heaviest burdens on real property, supply the funds applicable to the internal purposes of the State. * * * The Committee observe that the annual amount of national income, as deducible from the income-tax of 1842, amounted to 244,760,580*l.*; while the real property rated to the poor-rate, according to the returns made to Parliament in the same year, was 62,540,030*l.*; thus a great portion of the administration of justice, of the maintenance of the fabric of the Church, and of the internal communications of the country, as well as the entire support of the poor, are all defrayed from taxation, from which nearly three-fourths of the national income are exempted. * * * The land-tax, highway, church, and poor rates, alone amounting to, 9,687,950*l.*, would thus be equivalent to an income-tax of above 15 per cent on the annual value of real property in England and Wales. If to the above sum of 9,687,950*l.* is added the tithe-rent charge not merged in the land, that is, 4,500,000*l.*, making a total contribution annually levied on real property for the public service, under the five heads of tithes, land-tax, poor, highway, and church rates, equivalent to an income-tax of nearly 23 per cent on 62,540,030*l.*, the rateable value of the real property in England and Wales."

The annual value of real property as deducible from the income-tax, which is assessed on the rackrent, amounts to 85,802,735*l.* in England and Wales; the land-tax, highway, church and poor-rates (including the county rate), would be equivalent to a tax of more than 11 per cent on this valuation; but it is to be remarked that mines, other than coal pits, manors, and fines, are included in this valuation which are exempt from the poor-rates. But he (Mr. Newdegate) had of late been continually told that all this distress which they saw around them was the result of a want of capital; the proposal to involve us in direct taxation was nothing more nor less than a proposal to cut off capital at its source, instead of levying taxation upon the consumption of articles of secondary necessity or luxury. He was again told that they should tax the fundholder—that they had thrown over all those antiquated notions of national good faith which once were the boast of this country, just as they had thrown over the considerations of good faith which should have maintained protection to agricultural and native industry, and to the interests of their West India possessions and other colonies; whilst the fundholder had, by their system of currency, gained some 30 per cent within the last few years; but suppose they had loaded the fundholder with additional direct taxation, which was tantamount to confiscation of so much of the interest due to him, were they not, by their proposition, again discouraging the investment of capital in this country? But much stress was laid on the fact that the income-tax was a great burden on the commercial classess. He was a commissioner of the property-tax, and had acted for some years; and he knew that that clause under the Act was in perpetual operation, by which the merchant, the banker, or the tradesman might plead losses in trade or show no profits, and so escape the tax; or plead the wear and tear of machinery, or the like, and so get the levy upon him reduced. Then there was an outcry about the exemption from the income and property-tax, supposed to exist in favour of the land. Did those who raised this outcry know that every landowner was assessed upon his gross rental—that no allowance was made for the expenses of the property, of repairs to farm-houses, or the like, which amounted one year with another to from 15 to 20 per cent on the rental; so that every landowner was taxed under the income-tax upon from 15 to 20 per cent more than he received. Take the case of the farmer. If he held land to the amount of 300*l.* a year, he was taxed on one-half the rental. If the half of the rental was only 149*l.* he escaped, unless he had coming in 2*l.* from any other source; and then, although his losses in the course of the year might amount to double the rent, he must pay the tax upon a sum equal to half the rent, and upon any property he had exclusive of that on his farm besides. Do not then talk of the exclusive exemptions enjoyed by the land. Then, again, there was another outcry against the window-tax; and here they had every shop window, every counting-house window, and every workshop window exempt. He knew it would be said that the farmer also was exempt; but that was not the case, except his rental was under 200*l.* a year. He might be told that there were other exemptions; but he thought the only answer necessary would be to refer to the evidence taken before the Committee of the House of Lords on that subject. He wished briefly to allude to the alleged relief from landed property, by the Poor Removal Act, and by taking the cost of county prosecutions out of the Consolidated Fund. No doubt those measures did afford a relief; but if any one would take the trouble to refer to the poor-rate assessment returns they would find that landed property was assessed to four-fifths of its value, and house only two-thirds; and if they carried the comparison further, they would also find that the land up to 1843, paid from 12 to 25 per cent more than house property on the assessment; and in the assessment too, there was the most ample allowance made for the different durability of the two properties. Therefore, if some relief was given by the Poor Removal Act and the diminution of the county rate, by throwing the cost of prosecutions on the Consolidated Fund, he did not believe it more than removed the difference between the amount paid by the two classes of property, independent of the allowance made in the assessment of their relative value for the difference of durability. There was one interest to which, before he concluded, he must, for a moment allude, and that was the interest which had been the most strenuous advocates of destroying the protection of the agriculturist, and was now the most clamorous, after having stripped him of his protection, to saddle him with direct taxation—he meant the cotton interest. In 1843, 1844, and 1845, the cotton trade, but, above all, the master manufacturers, enjoyed the most unexampled prosperity; on this point he took an authority which he thought would not be disputed, that of Messrs. Gibson and Ord, of Manchester. In their circular letter for 1847, these gentlemen gave a description of this trade. They said—

> "The cotton district has, throughout the whole of the past year, experienced more or less of depression; it cannot, however, be characterised as one of disaster, for, whilst we have had an absence of the excessive profits of 1843, 1844, and 1845, the aggregate has yielded a fair remuneration to both spinner and manufacturer; and our operatives have enjoyed, until the past few weeks, uninterrupted employment, and at very full wages. The change produced in the past year did not arise from any falling-off in the home demand, or requirements of the foreign market; and, although in a measure induced by the disturbing causes before mentioned, is mainly owing to over-production, consequent on the great increase of mills and machinery called into existence by the prosperous course of manufacturing in the three years antecedent. During those years the supply was inadequate to the demand, but it has now become evident that such is no longer the case; for, whilst we have had a home consumption we believe equal to any former year, and an export falling very little short, our market has laboured under increasing stocks, and but for the timely recourse to shorter hours during the past two months, the accumulation would have been such as to have pressed heavily on the market, and debarred the hope of anything approximating to remunerating prices being obtained."

Well might hon. Members connected with this trade groan—he felt for them. During these years, admitted to be a period of unexampled prosperity, multitudes of mills were built, and machinery was vastly increased, whilst they were rampantly engaged in the anti-corn-law agitation; the market at length became glutted, and the goose which had laid the golden egg was killed. He would give the House some idea of the profits of this trade, which now so whiningly cried out to be relieved from taxation. It was not an uncommon thing, in 1845, for the cotton spinner to use 8,000lbs. of cotton per week, and of this he would make an allowance of one-eighth —a most liberal deduction—for waste in making. The spinner, working up this quantity, would thus turn out of the best mule twist, No. 40, 7,000lbs.; on that an average profit of 2*d.* per pound clear was produced; and that, by a simple calculation, would show a profit of 583*l.* a week, or 30,316*l.* a year. Of course those who doubled the quantity doubled also that amount of profit. He held in his hand a letter from one who knew the trade as well as anybody. He had had some correspondence with the gentleman whom he had mentioned, and who was an eminent free-trader, in respect to the effects of free trade upon the supply of cotton from the United States. This gentleman wrote, on the 10th of February, 1847, as follows:—

> "The enclosed table may interest you in many ways. There is nothing in it to alarm the farmer, but much to terrify the spinner. However, he has to thank his own cupidity. In September, 1845, best second mule twist, No. 40, was selling at 11½*d.* to 12*d.* This was spun out of cotton which cost 4*d.* to 4½*d.*, and left a clear profit of 3½*d.* to 4*d*, for every pound of cotton spun, and some spinners used 200 bales of 400lbs. each per week. The spinners thought they could not do too much of such a business, and multiplied machinery, built new mills, &c., until they killed the golden goose, and absolutely swamped the demand. At the same time they drove the price of cotton down so low that every where the planter reduced his cultivation. In Georgia, the planter did not receive 2 cents per lb. His cotton was selling in Savannah at 4, and as in Georgia the soil is indifferent, 1,500lbs. per hand (negro, who cost 500 dollars), he had

little inducement to continue the culture of cotton. This year there is a large crop there; but it will turn out only comparatively so."

He had not made his calculations according to the statements in that letter, but at a lower computation of profit, that he might be on the safe side, though the trade circulars and prices current confirmed the statements of the letter he had read; but it would be admitted that, during the very year that the Anti-Corn-Law agitation was the hottest, these exorbitant profits were pocketed by the Leaguers. What was the case now that they had been successful in their agitation, and stripped the agriculturist of his protection? Why, they had fallen into distress in consequence of overproduction—a distress which he regretted very much. But it was a fact that those who were foremost in depriving the agriculturists of protection, were the first to prescribe that we should bear the burden which they were so anxious to pass from their own shoulders. He would, however, ask the House whether this injustice ought to be permitted? Ought they who had brought distress upon themselves by their cupidity during four years of unexampled prosperity, and during that period done everything in their power to depress the value of landed property, to be allowed to cast their burdens on the class they had injured, for the purpose of trying a foolish experiment? But they said their experiment of free trade had not a fair trial, because landed and agricultural property was not yet, according to the hon. Member for the West Riding, brought down to the point at which he considered free trade would be fairly tried, and that would not be until corn was at the nominal price of 40*s*. per quarter. The experiment of the hon. Member would then, according to his own showing, reduce agricultural property in this country 20 per cent; and he supposed it was for the purpose of alleviating in some degree the disastrous effects of that experiment that the agriculturists were now to be saddled with direct taxation. If ever there was a time when it behoved the House to exercise the utmost caution, it was when such proposals as these were submitted to it at such a period. He did think that the system of taxation in this country ought to be revised; but he trusted the House would not cringe to any mere popular movement. The Government, he could not but say, had made concessions which were scarcely consistent with its dignity; but as they had given up the attempt to increase the amount and duration of the property and income-tax, he would vote for its limitation to three years in the present critical state of affairs?

MR. GOULBURN had to apologise for rising at so early a period; but being most anxious to give his support to the proposition for the continuance of the income-tax for a limited period, deeming it essential to the maintenance of the public credit and the best interests of the whole community, he wished to state the grounds upon which he came to that conclusion. In doing so, he should confine himself strictly to the proposition made by the hon. and learned Gentleman (Mr. Horsman); and he was sure his hon. Friend (Mr. Newdegate) would excuse him if he forbore entering upon the wide field which his hon. Friend had taken, seeing that the topics he had discussed applied rather to general questions of finance, than to the particular subject now under discussion. The arguments of the hon. and learned Gentleman mainly referred to the inequality with which, he alleged, the income-tax bore upon different classes. He did not mean to deny that the tax pressed unequally upon different classes to which it applied. Its operation in this respect had been admitted at the time it was introduced, and again when it was renewed. Indeed, if an income or property-tax was to be effective as a measure of revenue, he feared it would be found unequal in whatever shape it might be imposed. It was not, however, a just objection to this or to any other tax, to say that its pressure was unequal; and it was taking an extremely narrow view to apply to one particular tax an objection that equally applied to all taxes. Human ingenuity had never yet devised a tax that could press with equal severity upon all classes; and the only rational mode of dealing with taxation was to view the whole system together, to correct the inequalities of one tax by the countervailing inequalities of another; so that the balance of the whole system of taxation should press equally and justly upon all classes. Take the land-tax. If that tax stood alone, and they were discussing its merits, he should think no person could fail to point out how it was oppressive upon one class, as contradistinguished from another. Take the assessed taxes. Did they not press unequally, even in the hon. and learned Gentleman's favourite case of the physician as compared with the nobleman? each paid the same tax for carriages, horses and servants, though to one they were absolute necessaries for the discharge of professional duties, to the other a mere convenience or luxury. The same was the case with the house-tax and with the window-tax. In these cases it had been said, indeed, that a man might divest himself of their payment by getting rid of his house, or shutting up one or two windows. But this in most cases was known to be impossible. He repeated, therefore, that it was by no means a conclusive argument against a particular tax to show its unequal operation when they were discussing the general revenue of the country. But, unequal as he admitted the income-tax to be, he did not admit it to the extent to which it had been described by particular parties who had felt themselves aggrieved. The hon. and learned Gentleman said, that as we stood at present, those who were ranked in Schedules A and C, being owners of what he called realised property (that is, assumed to be landed property or funded property) were paying in a comparatively small proportion with those who were ranked under Schedule D, as having incomes either of limited duration or of an uncertain class. On the first blush of the question there was something plausible in this argument; but the hon. and learned Gentleman ought to have considered that there were countervailing circumstances which tended to make up the inequality arising from the two sources of income. The hon. Gentleman referred to the two cases of a landed proprietor with an estate of 5,000*l.* a year, and a physician with a professional income also of 5,000*l.* a year. It was true, the landed proprietor derived his income from a fixed source; but, on the other hand, he had to pay large amounts for repairs, rates, and taxes, which were not chargeable upon the 5,000*l.* enjoyed by the physician. Here, again, there was a tendency to correct inequalities. Moreover, the landed proprietor was charged with the tax upon his income in the first instance; and whatever happened afterwards the same assessment was enforced and must be paid; but if the physician found that instead of 5,000*l.* he had only earned 4,000*l.* in the year, he had only to go before the Commissioners, and he might obtain from them repayment of the tax which he had paid in respect of the amount overcharged. But he was prepared to defend the tax as it stood, even if he had not heard the speech of the hon. and learned Gentleman; but that speech strongly confirmed his determination. The hon. and learned Gentleman knew Treasury affairs well, for he had been a Lord of the Treasury, and had studied them accurately; and knowing his great ability he must give him credit for having propounded that plan which he after full consideration deemed the best calculated to render the operation of the property-tax equal; but he believed that if the hon. Gentleman's plan were adopted, it would involve injustice and inequalities far beyond those with which the present tax was charged. The hon. and learned Gentleman's proposition amounted to this—that Schedules A and C should be charged a duty of 8*d.* in the pound; and Schedule D be divided into two parts, one applicable to professions, on which he would charge 4*d.*, and the other to trades, on which he would charge 6*d.* in the pound. His first objection to the plan of the hon. Gentleman was, that it not only involved a total deviation from the principles which had actuated those who had ever proposed a tax of this kind to Parliament, but was utterly inconsistent with the obligations of the national faith. The hon. Gentleman proposed to impose upon money invested in the funds a charge of 8*d.* in the pound; whilst the charge upon money invested on any other security except land should be only 6*d.* in the pound, imposing therefore directly a charge of one-third more upon funded property than upon property of other descriptions. He need not remind the House that that was a direct violation of the assurance which Parliament gave to those who had lent their money to the Government—that assurance being that they should only be subjected to equal taxation with other portions of the country. Clearly, therefore, they had no more right to charge upon funded property a higher annual rate than upon property invested in any other securities—than they had at once to say to the funded proprietor, "You shall give up a portion of your property for the benefit of the public." [Mr. HORSMAN: You exempt incomes under 150*l.*] Yes. But that exemption applied to property of every description, whether funded, landed, or other. This was, in point of fact, the very subject of contest in 1803, between Mr. Addington and Mr. Pitt. Mr. Addington proposed to withdraw the exemption which funded property had previously enjoyed; but Mr. Pitt in a few minutes destroyed every one of his arguments, and the exemption was extended to all. The hon. Gentleman complained of the hardship which was inflicted on annuitants, and persons whose incomes were of limited duration, compared with that which was inflicted on those whose incomes were more durable. But the hon. Gentleman proposed upon Schedule A (that was, upon all income derived from landed property), to impose a charge of eightpence in the pound. Surely the hon. Gentleman must have a very incorrect idea of the nature of incomes derivable from land. There was scarcely any gentleman's estate that was not saddled with a jointure to the widow, with payments to the children, or with payments of the money which had been lent upon the security of the estate. The poor widow, therefore, with her limited income, and the child deriving scarcely sufficient for his education, were both to pay the augmented charge of 8*d.* in the pound. But those were not the only cases of hardship. Let them take the clergy. All the clergy who derived their income from tithes, or from the commutation of tithes, were charged under Schedule A, and on them also, as well as the widow and the infant, the aggravated tax of 8*d.* was to be imposed, in order to exempt bankers, merchants and others. The hon. Gentleman appeared again to have made an oversight with regard to Irish property. The hon. Gentleman proposed, under Schedule D, that the Irish proprietor living in England should pay only 4*d.* in the pound on his Irish property; but would that be just whilst the English proprietor residing in Yorkshire, with no larger an estate, was to be taxed at the rate of 8*d.* in the pound? Was that the way in which the hon. Gntleman proposed to regulate the inequality which at present existed? Did he think that that would be palatable? Why, the only hold that we had at all upon persons living here who had property in Ireland was by charging under Schedule D the income derived from estates situated in that country. The hon. Gentleman being a member of one of the learned professions, had, naturally enough, a great tenderness for professional gentlemen, and he instanced the case of the eminent physician; but would the hon. Gentleman allow him to suggest whether the large payments which were made to the physician and the lawyer were not made in some degree with reference to the limited period during which those profits were to be enjoyed? Did the hon. Gentleman believe when an eminent lawyer could make before Committees of that House from 20,000*l.* to 30,000*l.* in one year, that those payments had not some reference to the uncertainty of their continuance, and that the lawyer was remunerated not simply for his services rendered, but something beyond that, in order that provision might be made for the future? He believed that that was the case with the liberal professions. The hon. Gentleman's proposal, therefore, with respect to these professional men, amounted to this, that he said to the public, already paying those gentlemen sums calculated to remunerate them for the short duration of the profits which they enjoyed, "You are to pay a larger income-tax because those gentlemen are to be exempted, on account of the uncertainty of their income, against which, however, you have already provided." The hon. Gentleman in his scheme placed offices also in the reduced scale. He admitted that nothing could be more uncertain than the tenure of office and the emolument derivable from it; but what would the House and the country have thought of the Prime Minister if in imposing a general income-tax upon the income of all individuals, he had said, "We admit the tax ought to be equal; but in the case of us, the Ministers of the Crown, we think we should only be charged at one-half the rate of others, because we derive our income from offices which we hold only for a short period?" He doubted whether the justice of this reasoning would have been readily admitted either by the House or by the country. Seeing then that the hon. Gentleman inflicted greater inequalities than existed at present, and, seeing that his proposition would operate unfairly upon some of the most helpless classes of the community, and subject them to an aggravated rate of duty, he must say that the proposition of the hon. Gentleman had only made him more in love with the old plan. What the Government wanted was an acquisition of income. That, he believed, could only be obtained by a tax imposed without those various limitations which each class was anxious to bring forward for its own relief. At any rate, he was certain they could not so modify the tax as to remove all possible inequalities, any more than they could effect the same object with other taxes; and further, that the inequalities which were susceptible of remedy could only be remedied by an increased and odious inquisition more distasteful, because affecting every class of the community. In paying this income-tax of five millions and a half, they should remember, above all, that the payment was confined to those who were in the enjoyment of incomes over a certain amount, whilst it relieved from the burden the poorer classes, who were entitled to all their sympathies and support.

MR. HORSMAN explained that the case of the Irish proprietors had not escaped his attention. His only reason for not alluding to it in his speech was, that he thought the present was not the time for entering into minute details.

MR. HUME was very sorry the debate had taken the turn it had done. They were wandering from the subject. He would not enter upon the subject of free trade; but he could assure the hon. Member for Warwickshire (Mr. Newdegate) that he was altogether mistaken as to the effect of the reduction of taxes by the right hon. Gentleman the Member for Tamworth. For ten years previous to 1842, the average revenue of the country was 51,000,000*l.* In 1842, when the right hon. Baronet put on the income-tax, the revenue was raised by 5,500,000*l.*; it was clear that the experiment of a reduction of the taxes in other respects was successful, because, had the 5,500,000*l.* been struck off, still the revenue would have amounted to 52,000,000*l.* But they had now to consider the proposition of the Government. They proposed that a tax of 5 per cent should be imposed on income and property for two years, and a tax of 3 per cent for three years beyond. When the proposition was made, he, without knowing the opinion of any man out of the House, ventured to say, that such a scale of taxation at this time could not by possibility be borne by the people. Was he wrong? The moment the statement of the Government reached the country, the whole community, as if by one consent, arose and testified their disapprobation of it. He would not waste one moment in saying, that the tax was unequal, because he had never heard any man contend that it was equal. But he deprecated the question being brought forward at this time, as the point which the House really had to decide was, whether there should be any income-tax at all. The present Motion precluded the House from coming to an opinion upon that question. He would, therefore, entreat the hon. Member (Mr. Horsman) to withdraw his Motion. He (Mr. Hume) was altogether against either an income or a property-tax, and he would prove, that instead of an additional taxation being required, all that was necessary was a reduction of useless public establishments. There was no reason why the establishments which existed during the ten years from 1831 to 1841 should not be adequate to the public requirements for the next ten years, from 1848 to 1858. The revenue, without an income-tax, was for the former period 51,000,000*l.*; and he knew of no reason why the same amount might not be realised without an income-tax for the next ten years. And as 51,000,000*l.* supported the public establishments from 1831 to 1841, so that sum would equally well support the necessary establishments of the country from 1848 to 1858. Therefore, to grant this tax, was only granting to the Administration the means of wasting the public money, and of injuring the credit of the country. He wished to put an end to the notion that the income-tax was an impost which did not affect the lower classes of the community. There was nothing like having the authority of a nobleman in that House. He would quote one which had been repeatedly given. On the 23rd of March, 1842, Lord John Russell thus expressed himself, and he entirely concurred in the opinion:—

> "I think (said the noble Lord) that the working classes will find, that if you diminish the means of employment, the means by which they live and earn good wages, you do as greatly injure those classes as if you imposed a direct tax upon them."

No tax could be levied which did not fall, directly or indirectly, upon the shopkeeper, the artisan, and the labourer. It was the extravagance of Ministers which rendered this system of taxation necessary. It was contended, he knew, that large military establishments were required for the safety of the country; but, in his opinion, it was of much greater importance to the peace and security of the State to have a population whose affections should ally them to the Crown, and whose minds should be satisfied that justice was done to them by the Government. This would give greater security and stability to the Throne, and tranquillity to the country, than the existence of 100,000 fighting men. What was the extent of the Army and Navy of this country at the present moment? There was an Army of 138,000 men, and a Navy of 40,000 men. For what useful purpose could such a force be maintained? What had military establishments done for France? Would it not have been better for Louis Philippe and his Ministers if, instead of attempting to govern that country by exacting millions of money from the people to maintain large military establishments and to construct formidable fortifications, they had given to them those liberties which had been promised them, and had thereby secured their love, affection, and regard? Had the late King of the French done that, he would not now have been left without a friend to help or a heart to sympathise with him. The genius of this country was essentially civil, but Ministers were making it a military country. He called upon the House to retrace their steps, and dispense with the large array of soldiers, which was so incompatible with the social character of the British nation. The whole people—Whig, Tory, and Radical—were combined in opposition to the present tax; but it was not so much against a property-tax as it was against increased taxation in general. It was upon that ground that he submitted to the House that the time was come when Parliament and Government must meet the wishes of the country. If they lost the present opportunity, they might regret it. It behoved them to address themselves to the demands of the crisis in which they were placed. The Government must not be suffered to fancy that they might run on in their present course without check or control to prevent the mischief into which their hasty career would lead them. This was not a time when either Government or Parliament ought to trifle with the feelings of the people of this country. If, then, it could be satisfactorily proved, and the returns which had recently been laid before the House established the fact, that 7,000,000*l*. of taxes had been added to the revenue within the last ten years unnecessarily—why, he begged to ask, should not those 7,000,000*l*. of taxes be remitted? The House was now called upon to determine, first, whether they would give the Government an income-tax or not; and, next, if they agreed to give that tax, for what time it should be continued. He contended that such a tax was not necessary. Let them but give the Government time to revise the system of taxation, to reduce their establishments, to examine carefully the whole system of finance, and to place the colonial expenditure upon a proper footing, and then there would be no necessity for an income-tax. Why, if the estimates for the Army, Navy, and Ordnance were carefully revised, he had no doubt they would be able to save 300,000*l*. or 400,000*l*. a year. He was willing to consent to the continuance of the income-tax for one year, but he would not have it retained beyond that time. He had no confidence in the protestations of any Ministers; for such was the corrupt state of that House—he begged pardon—such was the pressure upon Ministers, whether they were Whigs or Tories, that, although they might be anxious to act justly, they were unable. He had no doubt the Radicals would be just as bad if they were in power; for he had had some experience of Radical vestries, and he did not find that they were a bit better than Whigs or Tories. The fact was that on every man, from a king to a porter, there must be a bridle and a check. He considered that the Government, seeing what was the feeling of the country and of that House, ought to come forward and declare their determination to economise the expenditure. If Her Majesty's Government would do that, and if they then had to come to the House and say, "We cannot do without the income-tax, but we will endeavour to render it as just as possible in its operation," he would be most happy to give them his assistance in carrying out their plans. The right hon. Gentleman opposite (Mr. Goulburn) had stated that the salaries of the Members of the Government ought not to be reduced; but, rather than lay an additional tax upon the people of this country, he would call upon all public functionaries whose salaries were above a certain amount to give up 25 or 30 per cent of their incomes. If such a measure were adopted, they would take very good care to reduce the expenditure.

Mr. GOULBURN observed, that the hon. Member who had just sat down, had said that he had stated that the salaries of the Ministers of the Crown ought not to be reduced. Now, what he had said was, that if the proposition of the hon. Member for Cockermouth were adopted, a Minister would come down to the House to propose a tax of 4*d*. in the pound on his own salary, while he would propose a tax of 8*d*. in the pound on the incomes of many classes of the community; and he certainly did not think that such a measure would be satisfactory to the country.

The Marquess of GRANBY: The hon. Member who had just sat down had represented the present question to be in what manner the deficiency of three millions was to be made up. There were two means by which that deficiency might be made up—the one by reductions in the expenditure of the country, and the other by increased taxation. With respect to the first means, he thought that, after the statement which his right hon. Friend the Chancellor of the Exchequer had made, there was no immediate chance of any such reduction being carried out in the present year—for the right hon. Gentleman had stated, that whatever reduction he might think fit to recommend, it was impossible that they could tell upon the revenue of the forthcoming year. From this it was to be concluded that there was not any hope of immediate reduction in the national expenditure. But not only was there a deficiency of 3,000,000*l*. in the revenue, but great offence had been given by the proposition of Her Majesty's Government, that there should be an actual increase in the expenditure of the country on account of the Army, Navy, and Ordnance Estimates. Great had been the eloquence expended in the denunciation of that increase. They had been told that the country, in the third year of free trade (notwithstanding the prediction of the hon. Gentleman, the Member for Glasgow, who prophesied, before the Import Duties Committee, that 100,000,000*l*. per annum would be added to its resources by the introduction of that principle) was unable to bear any increase over the estimates of former years. They had been told—those who were opposed to increased expenditure — that foreign nations would take alarm, and that grounds for jealousy would be afforded them if the estimates were increased. Now, what was the excess proposed? Something under 500,000*l*. If this excess were to alarm foreign nations —if it were to be an incubus in this country, which enjoyed the benefits of free trade, there must be some great delusion somewhere; and he, for one, could not conceive how, in so short a time after the influence of free trade, the country could be so impoverished as not to be able to support an increase in the estimates of 500,000*l*. He must say that he thought the Government of the country should not have proposed that increase under the present circumstances of trade, unless they had felt that the security and safety of the country depended on the increase. And when he was asked whether he would take the opinion of Her Majesty's Government, or the opinion of the hon. Gentleman the Member for the West Riding of Yorkshire, he must say that he was inclined to give credit to Her Majesty's Government rather than to the hon. Gentleman. The hon. Member for the West Riding had argued that foreign nations would maintain their armies if we increased our military expenditure; but that, on the other hand, there was no danger of foreign war if the principles of free trade were accepted, and free imports were the practice. Mr. Burke, in one of his letters, said, that a flatterer of Louis the Fourteenth told him that the marriage between a French prince and a daughter of Spain, was a stroke of policy that would secure peace —that the Pyrenees would no longer exist. It seemed, however, that the policy of this country was now to monopolise the trade of the whole world—that this country was to be the great emporium of nations—that a similar miraculous effect was to be produced—that, to use the same language of metaphor, the seas, which till now had separated nations, were no longer to flow; and that a marriage was to be established between us and other nations. He hoped that the peace which we had now enjoyed for more than thirty years might continue; and the declaration made the other night by the noble Lord at the head of the Government, that this country would not interfere with any government which a neighbouring nation might think proper to form, would, no doubt, go far to ensure that result. The way in which that announcement was received by the House, and the reflection which he was confident it would receive out of doors, left little doubt on his mind that there was no danger of that peace being disturbed. At the same time, he confessed he could not see that there was any reason to suppose that the very moderate, necessary, and just additions which the Government proposed to make to our expenditure, could excite the jealousy or alarm the fears of other nations. He thought that the moderation and justice of those nations would point out to them that a proper care of our own independence was no bad guarantee of our wish to preserve the independence of others. It seemed, however, that there was no mode of making the income and expenditure of the country equal but by imposing additional taxation; and then the question arose what would be the best mode of taxation we could have? He confessed that he did not feel himself much assisted in the consideration of this question by the variety of proposals—of budgets, in fact, which had been brought under their consideration. The noble Lord at the head of the Government had observed that the vicissitudes of commerce had been great; he (the Marquess of Granby) must say that the financial proposal of the Government seemed to have been characterised by vicissitudes quite as great. The present proposition of the Government, however—their latest—was to renew the income-tax for three years. The first difficulty was to find what was the income you were to tax, and then there was the greater difficulty as to the principle on which you were to tax income derived from such various sources. The hon. Member for Cockermouth argued that by not imposing the same rate of tax on incomes derived from professions that you imposed upon property, you would get rid of the unjust and partial character of the impost. He (the Marquess of Granby) thought, however, that by adopting this proposition the partiality of the case would be aggravated, and its injustice increased. It had been argued in favour of the tax, that it was to take the place of the assessed taxes, which were at present paid by those who were engaged in professions. If that were so, why should they be exempted from that general duty of the citizen which consisted in paying the State for the protection it afforded? The proposition ought to be fully carried out, and in that case these classes should not be taxed at all. But he wished to put the question in another light. Take the case of two professional men, each earning 1,000*l.* a year. One of them was provident, and realised, in land or in the funds, 500*l.* a year. The other spent his whole income. But you would make the former pay on his gross income, and again on the money he realised. Take, again, the case of property entailed on the male heir. Suppose a man to have five daughters, the property going, perhaps, to some distant relative whom he had never seen in his life. He wishes to settle an annuity on each daughter. Was it just to tax a man so situated to the full amount of the tax on his property, in which he had, in fact, only a life interest? Again, take two estates of 500*l.* a year each; in one, the rental arose from the natural fertility of the soil; in the other, it was only produced after the expenditure of great science, labour, and capital. Would it be just to tax both in the same proportion? If the principle of fairness and equality were justly and strictly applied, he ventured to say that the income-tax would not produce enough to pay the expenses of the State. There was a passage written by Mr. M'Culloch on the income-tax, which he could not help thinking was peculiarly applicable to the operation of the tax as regarded both property and income. That gentleman said, that to levy a tax on all income, without regard to its origin, was subversive of all sound principle in taxation. Such a tax must either be rejected altogether, or only made use of when it was absolutely necessary that money should be had. He (the Marquess of Granby) repeated, that this tax was most odious and vicious in principle; it was a tax upon honesty, and a premium on fraud; it was one which would, on that account, be fatal to England, and one which, except as an expedient, could never be allowed in this country. It was with these views alone that he could bring himself to support the views of Her Majesty's Government. He was prepared to support it solely on account of the circumstances of the country, internal and external. He did so with the greatest reluctance; but at the same time he must be allowed to add, that it was not by the party with whom he had the honour to act that those follies and extravagances had been committed which had necessitated this tax. They had predicted at the time what would be the consequence of repealing 7,000,000*l.* or 8,000,000*l.* of taxation, and they had told the country that they would never get rid of the income-tax if ever it were put on. [The CHANCELLOR of the EXCHEQUER: The tax was first imposed by the Conservative party.] At all events, when the duties were taken off corn and timber, both Lord Stanley and Lord George Bentinck had said that the consequence would be, that direct taxation must be resorted to. When this tax was first imposed, the country was told, so great would be the saving from reduction of duties, that the tax would be made up in the low prices of articles of consumption. What had been the result of all these promises? Why, that there was a deficiency of 3,000,000*l.* of revenue, and a proposal by the Government to extend this "temporary expedient" for five years, and to increase the amount for two years to 5 per cent. It was not until a letter appeared, which was addressed to an obscure German town, that it was made known that the original proposers of the tax intended to prolong it, and that the Legislature had been induced to pass it as an experiment between direct and indirect taxation. The experiment had been a complete failure, and the reason was, that it was based on a wrong principle. The evils of the tax to the country had been real, while the benefits anticipated from it were unreal; for the effect of the free-trade measures, which were made the excuse for the tax, had been to bring the labour of foreigners to compete with that of our own overtaxed people—that was the real evil we had suffered. And the system had been unreal in its proposed benefits, because the reduction of prices had not penetrated to the lower depths of society, or extended to the mass of the labouring classes. He had already shown on a former occasion, by the contracts of the boards of guardians, that they paid the same price for sugar, and other articles, as before the reductions of duty. Take, too, the case of the hatter. ["Divide!"] What! was the argument to be all on one side? Would not hon. Gentlemen opposite hear what was to be advanced in reply to their theories? He could tell them that Protection was not dead—it was a living principle; and perhaps the very reason why hon. Gentlemen opposite were impatient was, that they felt how strong was the reaction against their legislation. He was referring to the case of the hatter, who was told that he could now get all the materials for his manufacture so much cheaper than before. But of what use was all this cheapness, if he was unable to offer anything in exchange? What had been the effect of the repeal of the corn law on prices? Why, in May, 1847, the price of wheat was 102*s*. 6*d*. Under the last corn law the effect was very different. He would quote on this head the words of Lord Stanley, in May, 1846:—

> "You aim, then, by a corn law at independence of foreign supply, accompanied and produced by such an encouragement to your home grower as shall guarantee him up to a certain point against foreign competition, and shall beyond that point protect the consumer against exorbitant and extravagantly high prices—protecting all parties against that which is most injurious to all, rapid and sudden fluctuations. Now, I say, that, beyond any law which has ever been in force in this or any other country, this law of 1842 has accomplished these its great and main objects. Since this passed, the fluctuation of price, which has taken place between 1844 and 1846, is only from 58*s*. 4*d*. to 45*s*. 2*d*.; the whole difference between the highest week and the lowest week in these two years was not a difference of 30 per cent."

The hon. Member for Nottingham (Mr. F. O'Connor) had told them that the aristocracy and the agriculturists of this country were indebted deeply to the right hon. Baronet the Member for Tamworth for having repealed the corn laws. He could only say, that if they had been so indebted to the right hon. Baronet, it was at the expense of the country. ["Divide!"] Perhaps hon. Gentlemen opposite—some of them, at least—would be more disposed to listen when he said that he was about to allude to the subject of cotton. No doubt the distress the cotton-spinners had suffered lately was great, but it had arisen mainly from their own fault. What said the editor of that ably-conducted paper, the *Economist?*—

> "When there is a scarcity of any commodity, the greatest misfortune which can happen to those interested in its abundance is, that, from any accidental or artificial cause, the price should be kept low. By such means scarcity can only be aggravated; while by a rise of price alone can it be eventually and more rapidly cured. During the autumn of last year the stock of cotton was extremely small, and the interests of those concerned pointed to the necessity of larger importations. The extreme pressure of that period, however, caused a further reduction of price, when the relative state of the supply and demand would otherwise have led to a considerable rise. The manufacturers in Lancashire, at the time, seemed to imagine that they had an interest in nothing being done to alleviate the pressure; because the first effect would have been to raise the price of cotton. But a rise of price in Liverpool was the first and only condition on which such an increased supply could be obtained as would secure a continuance of a moderate price in future. As it was, the price of cotton in Liverpool was forced lower for a time than in any other European market. The first effect was a considerable export to the Continent, so as further to reduce our stocks; the next effect has been a decreased import from America, which has aggravated and perpetuated the scarcity. This has acted in two ways. First, there is reason to believe that the low prices have induced the growers of cotton, in some of the States at least, to hold back a portion of the crop, so that the entire shipments are nearly 100,000 bales less than last year, while the crop is admitted to be larger; and next, it has led to a smaller portion of those shipments being sent to this market, and a larger portion direct to the Continent. By these two causes, not only now are the cotton dealers and brokers of Liverpool deprived of the intermediate trade of supplying the Continent to the same extent as last year, but the Lancashire spinners have a smaller stock from which to supply their wants; and Liverpool, which was the cheapest market three months ago, is becoming the dearest in Europe."

This was the legitimate consequence of pushing to extremes the doctrine of buying in the cheapest and selling in the dearest market. They were now suffering from a want of the raw material. It was said, however, that free trade had not a fair trial. Thus it ever was with experimentalists. They now pointed to "to-morrow" for the realisation of their hopes. When, then, would it be admitted that these principles had been fairly tested? He knew that the hon. Member for the West Riding of Yorkshire had said that — be the circumstances of the country what they might — let whatever ruin follow from the free-trade measures — he was determined that no alteration should take place in the system. But he begged leave to tell that hon. Member, whom he regretted not now to see in his place, that when the time came —and he hoped, for the sake of the country, it would not be far distant — for the people of this country to consider the effects of free trade, they would apply their free and independent consideration to the question whether this legislation had been for the benefit of the country, and he (the Marquess of Granby) had no doubt whatever what would be their verdict.

The CHANCELLOR OF THE EXCHEQUER: I think, Sir, I shall best consult the wishes of the House by not attempting to follow some of those Gentlemen who have preceded me, into the various topics they have introduced into this debate, which not only have had no connexion with the resolutions which I shall have to submit to the Committee, but not even with the Motion of the hon. Member for Cockermouth. I shall decline too, and I hope the noble Lord will not accuse me of discourtesy to him—I shall decline following the noble Lord in a discussion upon cotton; and I shall not enter with the hon. Member for Montrose into the question of our establishments, which have existed for the last ten or fifteen years, or on the reductions which were effected after 1830. I must, however, before I approach the immediate subject of debate, express some little astonishment at the objections which my hon. Friend the Member for Cockermouth and the noble Lord have raised with respect to the manner of levying the income-tax. My hon. Friend seemed to impute to me that I had always advocated a change in the mode of imposing the income-tax. Sir, I never did anything of the kind. I opposed the income-tax on its first introduction, because I thought it unjust and inquisitorial; but I said, as distinctly as possible, and that ground I have ever held, that the tax, if we were to submit to it, must be imposed in the shape in which it now stands. I have always contended that if the tax was to be maintained, it must be continued in its present shape. The noble Lord tells us that he and the party with whom he is connected, and especially Lord Stanley, warned us of the consequences of voting for the income-tax. Why, Sir, I voted against the income-tax, and the noble Lord voted for it, and Lord Stanley was a Minister in 1842 and 1845, the year the income-tax was proposed, and the year it was renewed; and on both those occasions that noble Lord was one of those responsible Ministers who at one time imposed and at the other renewed the income-tax. How then could Lord Stanley or the noble Lord warn us of the consequences of voting for the income-tax? I will not trouble the House by quoting at any length the words I used in 1845; but I warned the House of what the consequences would be of the policy then pursued. I then said—

> "If the House were prepared to authorise the policy then recommended to them by the right hon. Gentleman the Member for Tamworth, they would find it impossible at the expiration of the three years to take off the income-tax."

I said so most distinctly. The noble Lord and hon. Gentlemen opposite, then supporters of the right hon. Gentleman, voted for the reimposition of the income-tax against the warning which we gave them; and it is rather hard for the noble Lord to turn round and tell us that he warned us against the imposition of the tax, and to reproach my noble Friend for now taking a step to which he was driven, not in consequence of any act of his own, but by the result of former financial measures—it is rather hard, I say, on the present Government, that when they have been compelled by actual necessity to propose a renewal of the income-tax, they should be reproached as being the authors of a tax against the imposition of which we voted in 1842, and against the possibility of taking which off I warned the House three years ago. Sir, I will not pursue this topic any farther. I think that the circumstances of the country are such as to justify us in proposing a renewal of the income-tax for a period of three years. I do not think it possible for us to propose it for a shorter time. We thought it necessary to make a proposal which would render the income equal to the expenditure; but the general expression of opinion in the House of Commons, backed by the country, decided that the additional taxation should not be imposed, which was necessary to place the expenditure on an equality with the income in the year. We think that, in all probability, on an average of three years, the expenditure and income may be equalised; and we think, looking at the difficulties under which the country has had to labour during the last year, that it may be better, in present circumstances, not to press for additional taxation in this year, if we see a reasonable prospect of this result being attained by maintaining the present amount of taxation for a period of three years. I now turn to the reason of the hon. Gentleman for making his proposal to-night. I think the result of the discussion on the proposition of the hon. Gentleman must have convinced him that it is far better to take the tax in its present shape than to attempt—what I am sure would be an unavailing attempt—to make it more just and equitable. It is not a little remarkable, in the first place, that with the exception of the right hon. Gentleman opposite (Mr. Goulburn) who has, I think, completely demolished the plan of my hon. Friend (Mr. Horsman), no other individual has even referred to it in debate. As my hon. Friend the Member for Montrose has said, this Motion involves a most important question; but the question we have in the first place to decide is, whether an income-tax shall be adopted or not. It was very wisely and properly suggested by my hon. Friend—advice which, if the hon. Gentleman is disposed to listen to I should be inclined to press upon him—that he should withdraw his Motion, and let us come to some practical vote on the income-tax. That is the business-like way of going to work. We are now wasting time, and my hon. Friend the Member for Montrose has suggested that really the most practical course for us to take is that which I have indicated; and I think my hon. Friend the Member for Cockermouth must see that the sense of the House is in favour of that proposal. Sir, I am unwilling to follow my hon. Friend in his proposition. Indeed, I think the right hon. Gentleman has so completely disposed of it in detail that he has hardly left me a syllable to say on the subject. Into the topics which he has alluded to, I will not therefore enter. I will only say that I do believe with him that any attempt to make any one tax perfectly equal and perfectly just, would be an unavailing and a useless attempt. Taxes press unequally, after all, according to the circumstances of the persons who have to pay them. Take any tax, and you will find it so. It will press unequally upon those who have families and those who have none. At the time the income-tax was first imposed, a provision was introduced to give some exemptions to persons who had large families; but the exemption was afterwards taken away, as it was found that it led to great fraud, and that it gave rise to similar claims for exemption, which ought in fairness to have been acceded to, but which could not be granted without rendering the Bill too complicated and unproductive. Mr. Pitt, and the right hon. Gentleman the Member for Tamworth, when he renewed the income-tax, adopted what they believed to be upon the whole the most equitable plan. I do not think that either this or any other tax can be perfectly equitable; but the most equitable shape in which an income-tax can be levied, is a tax bearing on the income of every person, regardless of the sources from which that income is derived—regardless of the time during which it is to be enjoyed—and not considering property as distinguished from income. Mr. Pitt and the right hon. Gentleman maintained the principle—I believe a sound principle—that a tax imposed on or exacted from the income of a year, should be paid in that year for the protection which had been afforded to the person paying it. Now, I believe that any attempt to deviate from that rule will only lead to inextricable confusion; and even if we adopted the complicated plan of my hon. Friend, we should find it unjust after all, and without making the tax more just, we should add infinite vexation in the mode of levying it. The inequality and the inquisitorial nature of the tax is, no doubt, one great objection to it. By attempting to make the tax more equal and more suitable to the existing circumstances of the party taxed, you render it necessary to make a more rigid inquisition into their circumstances, and, therefore, the more burdensome and odious the tax will be. I find on referring to the debates which took place at the time Mr. Pitt imposed the tax, that almost all these questions were raised, and at that time disposed of. Mr. Pitt stated that there were differences arising out of the inherent nature of things. You could not place income derived from land in the same situation as income derived from trade or profession. No man complained of the inequality which existed between the man who derived an income of 500*l.* a year from a landed estate or the funds, and the man with an income of 500*l.* a year from his professional exertions or trade. If you take 15*l.* a year from each by taxation, they are still left in precisely the same relative position. There is a dissimilarity in the nature of their circumstances, and you cannot remedy it by a different mode of imposing taxation. The right hon. Gentleman who spoke before me has referred to the argument respecting the fundholder. Mr. Pitt said it would be unjust to impose a different rate on income from the funds from that imposed upon income from other sources. He said it would be a breach of faith to the public creditor; and as the right hon. Gentleman (Mr. Goulburn) has stated, when Mr. Addington proposed to do so, Mr. Pitt came down to the House and entirely overturned Mr. Addington's proposition, on the ground of public faith. Well then, if that be so, there remains Schedule A only that you can touch. I should like to know if we can adopt the principle of imposing a higher rate of tax on Schedule A alone? It is not just, for Schedule A, in point of fact, always pays a higher rate than any other schedule, because the landowner is allowed no deductions whatever for repairs; and even if his land should be unoccupied, and he receives no rent at all, he has to pay just the same amount of tax. There is no deduction for the tenant being unable to pay his rent. The full amount of rent is charged to the tax whether the tenant pays that rent or not. Already, landed property does pay a higher rate than any other schedule; and it would be unjust to impose on Schedule A a still higher rate of taxation than on the others. The hon. Member for Montrose ridicules the notion that it is possible by different taxes to equalise the burdens of the country. I agree, however, with the right hon. Gentleman, that the way to equalise the burdens on different descriptions of property, is to impose a variety of taxes, and that we should only fail by attempting to equalise one single tax. It is absurd to confine our views to any single impost. Only look at the different way in which property is taxed. Landed property is rated to all the local taxation of the country, which is very heavy. Personal property escapes rating, but pays a duty on succession. Some descriptions of property pay in both ways. I do not say, therefore, that the pressure is equal, but I will say, that upon looking into the subject it will be found to be a great deal more equal than some hon. Gentlemen are disposed to think. I am not at all prepared to maintain that there is no inequality whatsoever, nor do I wish to deny that such inequality ought to be corrected. I have frequently declared that no interest should have protection in order to give by law an enhanced value to its produce; and I am equally of opinion that no property ought to be privileged in point of taxation. All ought to bear an equal and fair share of contributions towards the expenses of the State; and I say that in order to attain that object you must not look to any one tax alone. I do not believe that there has ever been any single tax devised that bears equally on all; and to attempt to do that would be a vain and useless attempt. I do say, taking all the taxation, local and general, into consideration, that I believe that so far from there being a very unequal pressure of taxation, it bears much more equally and justly upon all descriptions of property, without any exception or privilege being conceded to any one, than many Gentlemen are apt to believe. I will not go further into this question; and I do hope and trust that the hon. Gentleman the Member for Cockermouth will see that the general wish of the House is that we should proceed to some definite vote, and that we should consider the main question whether we are or are not to have the income-tax continued. We propose, in our resolution, to continue it for a limited period; and at a subsequent period the question will arise, how long that limited time shall be. That will not arise in the resolution which we propose to submit in the Committee, at present. All we propose to submit to the Committee is a general resolution that the income-tax shall be continued for a limited period. I hope after the general disposition that the House has shown to take some step in the matter, the hon. Gentleman will withdraw his Motion, and let us make some progress towards doing that which ought to be brought to a conclusion at as early a period as possible.

Mr. F. T. BARING did not agree with the hon. Member for Montrose, in considering the proposal of the hon. Member for Cockermouth a waste of time. He considered that it was necessary that, in some shape or other, they must have a vote for the five millions and a half; and he did not believe that they could under present circumstances, provide for it without an income-tax of the nature proposed. As he understood the hon. Member for Cockermouth (Mr. Horsman), his object was, before the House went into Committee, to take the sense of the House as to whether they were prepared to levy the income-tax on a more just principle than they had hitherto done. In his proposal he (Mr. Baring) could fairly concur. The hon. Gentleman did not want to cut down the taxes if those taxes were necessary, but to give the same amount in a fairer manner. He would not be a party to get rid of the five millions; and if his hon. Friend's proposition should be rejected by the House, and no other means of adjusting the income-tax could be adopted, he then, consistently with everything he had already said, would be prepared to support the public credit by voting for an income-tax, bad as it might be, in its old shape. There was one thing worse than the worst taxation, and that was a large permanent deficiency in the public revenue. Under the circumstances, he thought that the hon. Gentleman had adopted the most practical mode of getting at the real opinions of the House. He had thought that the hon. Member for Montrose was too old a soldier not to know that when the Government got into Committee they would have every advantage. The first proposition would be Schedule A, to be fixed at 7*d.* in the pound. Would anybody propose to increase that amount without an assurance that an arrangement would be made reducing the taxation in the other schedules? Of course Schedule A would pass, and when that was done the Government would tell them, that having passed Schedule A at 7*d.*, they could not reduce any other schedule without rendering the tax less efficient and less productive. The hon. Member for Montrose was ready to go into Committee, because he said he had a plan to reduce the expenditure by seven millions. Now the hon. Gentleman had made a declaration which he adopted. The hon. Gentleman had said, that he did not believe in the promises of public men; and he must say, that he did not place much reliance upon the hon. Gentleman's promise of reducing the expenditure. If the deficiency which existed could only be got rid of by a reduction of seven millions of expenditure, he was fearful that the deficiency must continue. It was not necessary for him to go into the inequality of the income-tax, even by those who proposed it. That was admitted by all. He was not anxious to raise anything like a cry against the necessary taxation of the country. But he could not help repeating to the House that he looked with very great alarm at their placing so large an amount of the revenue of the country upon so unsure a foundation as the income-tax. That was one great ground why he opposed the tax when it was first brought forward, and he had never changed his opinion in that respect. He knew perfectly well that the tax which people had not got, always appeared the most agreeable; but practice showed that when they put the burden on their shoulders, it was found to have its inconveniences, its inequalities, and its imperfections. He had always said that the time would come when this income-tax would become so unpopular as to endanger the finances of the country. His right hon. Friend the Member for Coventry had expressed his desire to place the finances of the country upon a stable foundation. In that wish he concurred, and it was on that ground mainly that he should vote for the proposal of the hon. Member for Cockermouth. He believed that if they intended to continue this tax, it must be made more equal. He owned he looked with some discomfort at what had passed in that House that night, for he found that the leading men of the three different divisions of that House had all declared their opinions that if this tax was to be continued, it must be continued in its present form—that no amendment could be made in the tax. If that were so, then he warned his right hon. Friends that they were only postponing the difficulty, and that if they got the tax for three years in its present shape, the time would come when they would be obliged to make some change, and abandon the whole of the tax. If the House wished to continue the income-tax, they must endeavour, if not to make it perfect, at least to make it fairer in its operation. The right hon. Gentleman opposite had remarked, that in the plan proposed by his hon. Friend there were great anomalies. He had always doubted, and expressed his doubts, whether it was possible to make an income-tax fair—it was one of the great objections to the tax. But still, if continued, this difficulty must in some way be met. He admitted that the scheme was not perfect; but though it might appear very satisfactory for the moment to elicit a cheer by saying, "This is the very best plan that can be proposed by you, and yet mark what difficulties there are in it," yet he believed that straightforward common sense would not be satisfied with such a course. The common sense of the country would break through all small network. If the House intended to preserve the income-tax, though they could not make it perfect, they must endeavour to make it more fair; and his hon. Friend's proposal appeared to him to present the only principle on which they could attempt to do so. There must be a more perfect classification of the different kinds of income. They would always have anomalies and difficulties; but if they tried to make the tax equal, he believed they would be met by the country in the spirit in which they made the endeavour, and the tax would then create much less dissatisfaction than it did at present. There was but one argument used by the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn) to which he attached any weight, though the views which that right hon. Gentleman expressed were always received by himself with the greatest respect. The right hon. Gentleman had said, that if they imposed upon incomes derived from professions a different charge from that they imposed upon incomes derived from the funds, they would break faith with the public creditor. Now, he had given to that subject the best attention that he could command; and if he had the slightest idea that the public creditor would be unfairly treated by such a proceeding, he would be the last man to support it; for the public faith was, after all, of more value than any detail in taxation. But he could not come to the same conclusion as the right hon. Gentleman. The question raised by Mr. Pitt was not of the same nature as this. It was the entire exemption of a certain class of incomes from certain taxation. That was not the question raised at present. It was not proposed to give particular incomes unfair exemptions, but to tax the incomes fairly, according to their value. He quite admitted that it would be perfectly unfair to tax the funds, and not tax other property as well. But he thought it was no breach of faith with the public creditor to look at the nature of incomes. Take, for example, the case of an annuity. He did not think it would be by any means a breach of public faith to deal with such an income in a manner different from that in which they dealt with permanent income derived from the funds. This injustice existed in the case of the fundholder as in other incomes. He considered it an injustice that in taxing the funds they took from those who held an annuity the same amount as from those who had permanent incomes. He did not say that this was a breach of faith, but he must say that it was a great injustice; and if any alteration in the other schedules did render it necessary to be more just with regard to the public fundholder, he, for one, should look upon that rather as an advantage than as a disadvantage. He had promised the House that he would detain them but a very short time in stating the grounds on which he should proceed. He said again, that if the House decided that no Amendment should be adopted in the mode of adjusting the income-tax, he could not follow his hon. Friend the Member for Montrose in rejecting the tax itself. He believed it to be necessary to have that amount of money. He might deeply regret the decision of the House; but when it came to the question whether they should have the tax in its old shape or no tax at all, his choice was made. In that case he would be compelled by the most imperious sense of duty to support the tax, even with all its deformities.

Mr. MUNTZ was exceedingly delighted at hearing the speech of the right hon. Gentleman who had just sat down. He had done great kindness to the House and the country. On the last occasion on which he had addressed the House on this subject, he had recommended the Government to consider whether they could not make the tax more palatable to the country. He was now satisfied that the argument of the right hon. Gentleman was founded in truth, and that even if Her Majesty's Government carried the measure, it would not be well received by the country. The Government might be able to bear up for a time against the unpopularity which would arise from this tax; but they would eventually experience all the discredit which they deserved for having proposed it in its present shape. It was impossssible that the Government could be aware of the extent to which the tax forced many persons to injure themselves. There were thousands in this country who were led to make returns beyond their incomes, on account of appearances; and he knew instances in which parties, after making such returns, had been surchanged, and had submitted in order to avoid an examination into the state of their affairs. They need not go into the country to find how injuriously the system operated. It had been discovered that a property-tax commissioner in the city of London—he believed that he was one still—had been in a state of insolvency for some years, during the whole of which time the affairs of tradesmen in the city were submitted to his inspection. He had always been in favour of a tax upon property; and, if necessary, he would not object to pay four times the present amount. But he did not understand the distinction between paying upon capital and upon the interest of capital — the proportion was the same. To a great extent he concurred in the proposal of the hon. Gentleman (Mr. Horsman). He might differ from him as to the relative value of incomes derived from trades and from professions; but a distinction ought certainly to be made between real property and uncertain sources of income. The value of property employed in trade, or personalty, might be ascertained by means of an oath. He believed that Englishmen generally had too much regard for the sanctity of an oath to break it for a few pounds; and were the tax levied on equitable principles, he felt convinced that a larger amount would be obtained. So long, however, as the Government continued to make money dearer, there must be a reduction in the revenue. Though he agreed in the principle of the hon. Gentleman's Motion, he objected to it on the ground that it did not get rid of the unjust inquisition made into every man's affairs—an inquisition which ought indeed never to have been allowed in a country which enjoyed a free constitution. It was a question of expediency whether the House and the Government would not see how far they could beneficially alter the present system.

Mr. WALTER rose at great disadvantage after three right hon. Gentlemen who had been Chancellors of the Exchequer. The right hon. Gentleman the Member for Portsmouth (Mr. F. Baring) who had taken a common-sense view of the question, which, after all, was the true one, had asserted a principle to which he gave his cordial assent. In the few observations he was about to address to the House, he should not enter on that wide field of discussion on which other hon. Gentlemen had expatiated on a former occasion, as well as on that evening. The question before the House was certainly not whether the repeal of the corn laws was the cause of the famine in the country, and of the present embarrassment; or whether a paper currency was the great panacea for the evils of that nature; or whether the startling events in a neighbouring country, with which all Europe was ringing, were owing to social or to political causes; or whether, in consequence of these events, this country was called upon to augment or to reduce its military establishments. This much, however, he was prepared to grant—that there was a deficiency to make up, by whatever means; and, with respect to the military and naval establishments of the country, whatever waste and extravagance there might have been in those departments, of which the House would soon have some further knowledge, there could be no question that this was not exactly the time to move for a reduction of that expenditure. Having premised thus much, he thought he was entitled to the credit which he claimed for himself, of not being actuated by any motives of faction or obstructiveness, in giving his firm opposition on this occasion to a measure which he conceived to be at once unnecessary, impolitic, and unjust. He could assure the right hon. Gentleman the Chancellor of the Exchequer and his Colleagues, that it would have been far more agreeable to his feelings to have voted with them than against them. It was because he considered that the right hon. Gentleman had not only failed to make out a sufficient case for the continuance of this tax, but had in the course of his speech given many good reasons why it should not be continued, that he felt it his duty to be more consistent in his opposition to that tax than the right hon. Gentleman had been in his support of it. He certainly had hoped that the right hon. Gentleman would have availed himself of that respite which was mercifully granted the other evening, and which might well have been extended over a much longer period, to devise a more equitable method of assessing the present tax. If it were impossible, from want of time, to frame such measures, still the House was entitled to expect that he would have been prepared to propose that the tax should be continued for such a period only as would be sufficient to enable him to bring forward a measure for its more equitable assessment. The right hon. Gentleman had not done so; and much as he would have wished to have seen the right hon. Gentleman's parturient budget produce something like a paragon of finance, he confessed that he felt no pleasure in seeing that so miserable an abortion should have appeared as the fruits of such tedious labour. In endeavouring to cajole the public into the belief that the tax was to be continued only for three years, the right hon. Gentleman had fallen into the common mistake of measuring the evil of a given plan, not by its intrinsic injustice, but by its magnitude. It was a common excuse with Members of the frailer sex when they got into a scrape to meet the exposure by saying, "It is only a little one." The right hon. Gentleman seemed to have adopted a somewhat similar plea by way of excusing his great financial *faux pas*. But the right hon. Gentleman had also fallen into an error, founded certainly on a knowledge of human nature, that an evil, however intolerable at first, might by dint of long usage become endurable. He appeared to have bethought himself of the words of the poet, who said—

> "Vice is a monster of so hideous mien
> As to be hated needs but to be seen;
> But seen too oft, familiar with its face,
> We first endure, then pity, then embrace;"—

and then to have taken it for granted, that, however odious and offensive the present tax might be, yet, like the vice of which the poet spoke, it would, by dint of long usage and habit, become fascinating and agreeable. Why in time of peace have a war tax at all? When he came down to the House the other evening, he did think it just possible that the noble Lord at the head of the Government would have referred to events across the Channel, by way of assigning a reason for continuing the tax. He was rejoiced to see that the noble Lord not only thought it unnecessary to make any appeal to the House on this score, but that he very wisely abstained from any allusion to those events that could possibly be misconstrued into a wish to found his proposition on any secret misgivings, on the part of himself or his Colleagues, in regard to the designs of the dominant party in France. He was not prepared to say that he thought an income-tax, levied as it was at present, was justifiable even as a war tax. He saw no reason why, in the event of an emergency, the tax which might be thought necessary to meet that emergency should not be imposed equally on all classes of the community. But it was monstrous that a tax, which, when first proposed only as a temporary expedient, was considered so harsh and unfair in its operation as to require the excuse of being a war tax to justify it, should, now that it was decreed to be perpetual—for such was the intimation they had received — be thought to require no apology at all. Before proceeding further, he wished to guard himself against the supposition of being unfriendly to a system of direct taxation. He would have infinitely preferred—and he believed hon. Members would generally have preferred—having a system of direct taxation established in lieu of many of the indirect taxes to which the country was subject — such, for instance, as the window-tax and the assessed taxes. Many would gladly pay an additional sum in the shape of direct taxation, to get rid of the annoyance of being continually pestered by tax-gatherers who were eternally counting their windows, taking the dimensions of their carriage-wheels, measuring the height of horses, and performing those other disagreeable functions which were incident to that system of taxation. But, if they were to have a system of direct taxation recognised as part of the constitution of the country, they surely had a right to demand that it should be levied on fair principles. What were the principles laid down by Adam Smith with resspect to taxation generally? His first principle was, that taxation should be imposed in proportion to the ability of persons to bear it; but how, he would ask, was that ability to be measured, but by reference to the nature of the property which each person possessed? There had been a great confusion in the course of the present debate in consequence of hon. Members not drawing a distinction between the inequality of persons' private circumstances and the inequality of their property. It was utterly impossible for the Legislature to take cognizance of the inequality of the private circumstances of individuals; but it was not impossible for the Legislature to take cognizance of the inequality of the different natures of the property on which taxation was to be imposed. However hon. Members might differ with respect to the necessity of the income-tax, no one, when they came to analyse the question, ventured to assert that its operation was not unequal. No one could maintain so absurd a proposition as that an income which was worth only two years' purchase, was equal in value to an income that was worth thirty years' purchase. It had been said by the Chancellor of the Exchequer that any attempt to remove the inequality of the income-tax would be impracticable; but when the right hon. Gentleman used the word "impracticable," he was much mistaken if the people of this country would not apply that term, not to the tax, but to the Minister. He would advert to one or two arguments which had been used as objections against any alteration of the system of the income-tax. It had been contended by many hon. Gentlemen on that (the Opposition) side of the House, that there would be great injustice in taxing gross rentals. He was anxious to meet the objections of hon. Gentlemen in order to attain anything like an approximation to a fair system of taxation; and he was fully prepared to admit that charges incident to landed property ought to be deducted from the taxable income. Another objection, similar to that raised the other evening in the discussion on the window-tax, was to the effect that, admitting the tax to be a bad tax, it could not be got rid of, because there was nothing to substitute for it. Now, he considered this a very unsound way of reasoning. When once they decided that a tax was bad, let them get rid of it, and then would be the time to consider the best mode of providing a substitute. He would only refer to one more argument, which appeared to him to be the strangest of all that had ever been urged in defence of a bad measure. It was said that the present Government reigned by sufferance, because, in the present position of parties, it was the only Government possible; and that, therefore, it was not desirable, by defeating their proposed renewal of the income-tax in its existing form, to compel them to a probable abandonment of office. Now, whatever might be the consequences of repealing this tax, he did call on all hon. Members in that House to do their duty fearlessly to their constituents and to the country, without reference to any result that might follow in respect to the Government; and they might rest assured, that if they acted in that independent and straightforward manner, they would have no reason to regret the course they had taken.

Mr. ROBINSON was understood to suggest that at any rate the proposed renewal of the income-tax should only be taken for one year; and he assured the noble Lord and the Government that if they persevered in demanding the tax as it stood for three years, they would be jeopardizing the popularity of a considerable number of the Members of that House, who might be disposed to support the Government, and placing some of them in a very precarious position.

Lord J. RUSSELL: After the courteous manner in which the hon. Gentleman who spoke last has addressed the House and the Government, I think it incumbent on me to give some answer to his proposition, which is similar to one made by the hon. Member for Montrose. The hon. Member for Montrose, in noticing the diversity of opinions in this House, gave no very complimentary reason for our great variety of opinion. He told us that he had been in company with a dozen gentlemen who were political economists—that they differed extremely on the subject of taxation—and that if those gentlemen, who were accustomed to reason so much, differed so greatly on this subject, it was no wonder that we should differ. But, adverting to the proposal made by the hon. Member for Montrose, and which is now supported by the hon. Gentleman who last spoke, I do not think it is one to which the Government can give its concurrence. I beg for a few moments the attention of the House, while I state what I conceive to be our position and that of Parliament on this subject. In 1842 Parliament agreed to impose the income-tax; in the first place, to supply the deficiency of the revenue, and, in the next, to enable the experiment to be tried of diminishing or abolishing certain duties from articles of consumption, with a view to improve the revenue by giving a spring to industry and commerce. Opposed as I was to the income-tax, I must say that both objects were fulfilled. The deficiency in the revenue was supplied, and the revenue itself increased very greatly, in consequence partly of the spring given by the remission of taxation, and partly in consequence of the prosperous state of the country. The Government again proposed the continuance of the tax for three years, taking off another large portion of taxation on articles of consumption. I believe that the remissions altogether in those two years, and in the other years in the interval between them, amounted to not less than 7,000,000*l*. Since that period we have not had the same prosperity. There have been adverse circumstances, totally independent of those changes in the duties of the Customs and Excise; and I think it is evident that that experiment, which the Government might hope to be successful in ordinary circumstances, or in circumstances of prosperous trade, could not be expected to be successful when the circumstances were adverse, and many of the duties on articles of consumption fell off in a remarkable degree. Lately, in stating to this House the condition of the revenue, I noticed that in the articles of malt and spirits alone the falling-off, I think, was 1,300,000*l*. Then the question is, whether the Government may not fairly make the proposition which we now make, that for another term of three years the income-tax should be continued? The hon. Member for Montrose says, that he cannot admit this proposition, because, by economy, the establishments might be so reduced as to enable the Government to spare the whole of the revenue to be derived from the income-tax. The hon. Gentleman the Member for Nottingham says, that he could not consent to or propose a reduction of the establishments of the country, but suggests that some other tax should take the place of this proposed income-tax. With respect to the first proposition of the hon. Member for Montrose, without adverting to any other circumstances than those which are obvious and known to all the world, I should say, that not having asked for a greater number of soldiers and seamen than was proposed and voted in 1845—a period of profound tranquillity—having only increased, and to no very large extent, the number of men belonging to the marines, the artillery, and the engineers, I do not think that it would be wise, in the present state of Europe, for the Government to undertake to make a large reduction in the establishments. I am glad that what I have just stated is received with such ready assent, because I hold that it is quite unnecessary for me to do more than refer to what any one may read in the newspapers every day—the state of the various countries on the Continent. But then the hon. Member for Nottingham says, " Let us have some other species of tax." Now, with respect to direct or indirect taxation, though I was of opinion in 1842 that it would have been better, by a modification and change in the timber and sugar duties and some others, to supply the deficiency; yet it is quite a different proposition to come down now to Parliament to ask for a great increase of the duties on articles of general consumption, the remission of which, by giving a spring to industry, has been a source of employment to thousands of the labouring population as well as of enjoyment to the people at large. Therefore I should say that it would not be wise at this moment to propose to supply a revenue of 5,000,000*l*. by the imposition of Customs and Excise duties in lieu of the income-tax. But it is said—and that is the proposition now before us—" Take your direct tax, but let it be more equal than it is at present—make an arrangement by which all sorts of property may be more fairly and justly assessed." I must say that it is a presumption against this proposition that this is a tax first proposed, and settled by Mr. Pitt; and, whatever Gentlemen may think of his opinions and conduct on various questions of foreign and constitutional policy, all must admit that he was one of the greatest financial statesmen this country ever produced. This proposition when made was encountered by the objections that are now brought against the present plan. Mr. Pitt, with reasons of great cogency, showed why, in his opinion, there should be no distinction between one kind of income and another, but that all incomes should pay in equal proportions of 3 or 5 per cent, as the case might be. I say, then, that this is a presumption against the proposition of the hon. Gentleman. All who have had to do with taxation, have followed in Mr. Pitt's footsteps in this respect, and come to the same conclusion at which he arrived. I may here, perhaps, be permitted to say, as the hon. Gentleman the Member for Cockermouth, who made the Motion, alluded more than once in the course of his speech to the objections urged by me, in 1842, against the inequality and injustice of the tax, that I thought the arguments of the right hon. Gentleman the First Minister of the Crown (Sir R. Peel) were conclusive against modification, and that the nature of those objections ought to induce the House to reject or accept the tax altogether, without attempting any alteration. In 1845, I was of opinion, while I still thought it objectionable, that the tax might be modified; but, I own that, after more consideration of the subject—for I can assure the hon. Member for Cockermouth that it is not since Monday last that my right hon. Friend the Chancellor of the Exchequer and myself have turned our attention to the subject; but the more I have conversed with him and my other Colleagues—the more I have endeavoured to sift the subject, the more impressed I have been with the impossibility of making the tax more fair and equal by any modification we can propose. I do not mean to go into detail on the subject, for I think the right hon. Gentleman the Member for the University of Cambridge, in the early part of the evening, showed, by arguments to which no answer has been made, nor, as I think, can be made, that no such equality can be established in the matter. But I may state what I think is the general principle upon which this tax is founded, and the ground upon which I think the hon. Member would find himself defeated in attempting to make it more just. The State imposes the tax upon the ground of a party possessing a certain portion of income. Two persons, let us suppose, have an income of 500*l.* each, upon which 3 per cent is charged. One of those may say, "I am in totally different circumstances from my neighbour. Mine is only a life-income—a precarious income." The State says, "We do not inquire into your circumstances—we do not pretend to ascertain what are the circumstances of each class of individuals. We only take your apparent confessed income, and deduct a certain portion from it. We find you with such an income, and we leave you with it—minus the deduction of a certain portion in name of income-tax." Well, let us take the other case. The hon. Member for Cockermouth says that we ought to take 8*d.* per pound from persons who derive their incomes from anything in the shape of land, and that we should take 6*d.* and 4*d.* from other persons. Well, this person may say, "In placing me on Schedule A, under your new plan, you are treating me unjustly. I formerly paid 7*d.* in the pound; you are now charging me 8*d.*, which is at the rate of more than 8*s.* upon every 100*l.* of income. Now, you are mistaken in your supposition, for though my income is derived from land, I have only a life-interest in it." Some proprietors might even say that their income did not go to their daughters, but was strictly entailed on heirs male, and that they had nothing but their savings from year to year to provide for all their children except the heir. In the same way, and still more strongly, there were cases of rent-charges and jointures derived from land, but of no more permanent nature than if they were derived from trade. All those persons might say, "It is very hard upon us to pay 8*d.* in the pound, while we see people with great riches, derived from established firms of great solidity, whose fortunes go to their sons after them, paying only 6*d.*" Under the present system, as I have said, we are precluded from investigating into the peculiar circumstances of individuals. We do not ask the nature of their fortune—we do not attempt to examine into their affairs. But if you adopted the system proposed, you could no longer say so; because persons with life-incomes from land might say, "Nay, but you do attempt it. You have altered the tax, and have placed persons in trade and in professions in better situations than me. I showed you that my income is not more valuable nor more permanent than theirs, and you are bound to do me justice." You must be content to do one of two things. Either the injustice remains—and remains after an attempt and a profession that you are to do justice—or else it comes to this—the most difficult thing of all—that you attempt to trace the distinction further, and investigate the real value of all men's income. I say that it is far better to take the difficulty as it at present stands, than by attempting to remedy the injustice to fall into other cases still more unjust; while, at the same time, you are professing to do justice to such individuals. My hon. Friend the Member for Montrose found fault with the observations of the right hon. Gentleman the Member for Cambridge (Mr. Goulburn), because he said he could not deny that the tax was unequal, but that the inequality of one tax corrects the inequality of another. The hon. Member for Montrose at the same time that he found fault with this observation, gave a very happy illustration of its justice by referring to a chronometer, the expansion of whose wheel is sometimes too great and sometimes too little, but whose inequalities produce a proper mean, and make the machinery more perfect than it would otherwise be. Let us take the proposition now before us. Suppose that income from land was charged 8*d.* instead of 7*d.*, I think that, upon a fair consideration of the question with respect to taxation, it will be found that there is much force in the objection that is often urged, that taxation presses unfairly upon persons having landed property. There are some cases, for instance, with respect to the conveyance of property in land, in which 12½ per cent is paid for stamps upon the conveyance. I think it hard, then, to impose higher taxes upon those who derive their income from land, without taking into consideration the inequalities and hardships which press upon this particular class of property. Suppose we come to the question to which my hon. Friend the Member for Montrose alluded, namely, the general inequality of taxation. His proposition—which, I think, is hardly a reasonable one—is, that he is willing to give us the income-tax, bad as it is, and unequal as it is, for a single year, if the Government are prepared to apply themselves with due ability to remedy the inequalities by the commencement of next year. Why, Sir, the hon. Gentleman seems to think he is doing something handsome to us by saying that if we use every diligence he will—like the Committee of Privy Council to boys in village schools—give us as a reward the renewal of the tax for a year more. The reward, I think, is not such as ought to tempt us to adopt the proposal. That the revision of our taxation may be a most desirable object, neither I nor any other Member of the House will attempt to deny. With respect to the taxes derived from the Customs, the right hon. Gentleman opposite (Sir R. Peel), during his Administration, carried the revision to a considerable extent, and introduced some great improvements. With respect to the Excise and Stamps, I admit that there is great room for improvement still. But for Government to undertake the revision of the whole taxation of the country in a single year, and to put it upon a footing of equality, that would, I must say, be an imprudent engagement to make, and one which, for the sake of getting the tax for a single year, I cannot consent to. Whenever we are able, by a careful revision of any one tax, or of any number of taxes, to make a proposition to the House by which we think the taxation would be more equal, and press less hardly upon industry, I can assure the hon. Gentleman we shall be most happy to do so; but I think that no Government in the present state of affairs ought to accept of this tax for a single year with such a promise; and if they did so they would endanger the credit of the country, as well as their own characters. I again repeat that I should be happy to see any amendment of the taxation of the country, and should be happy to contribute to the amendment—which I may say my right hon. Friend the Chancellor of the Exchequer has never lost sight of; but the past year has been a year in which such extraordinary efforts have been required to meet the emergencies of the moment—emergencies originating in a scarcity of food and commercial distress and panic—that I am not prepared now, nor should I be prepared in a week or a fortnight, to propose a scheme of taxation better than that which I now propose. I therefore, Sir, with some confidence—knowing the temper of this House on former occasions—ask you to renew this tax as it was proposed by Mr. Pitt and others in former times—I ask you to renew it for three years, being the same period for which the House has already twice consented to renew it. I ask this not for the purpose of fitting out new armaments, or for the purpose of adding greatly to our forces by sea or land, but for the purpose of maintaining the forces that we do possess; for the purpose also of maintaining the credit of the country, and of showing at this period of difficulty that, whatever Government may be in power, you are—without distinction of party—disposed to give such Government a fair and liberal support.

On the question that the words proposed to be left out stand part of the Question, the House divided:—Ayes 316; Noes 141: Majority 175.

List of the AYES.

Abdy, T. N.
Acland, Sir T. D.
Adderley, C. B.
Alexander, N.
Anson, hon. Col.
Anson, Visct.
Arbuthnott, hon. H.
Archdall, Capt. M.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Ashley, Lord
Bagge, W.
Bailey, J. jun.
Baring, H. B.
Baring, hon. W. B.
Bateson, T.
Beckett, W.
Bell, J.
Bellew, R. M.
Beresford, W.
Berkeley, hon. Capt.
Blackall, S. W.
Boldero, H. G.
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Bramston, T. W.
Brand, T.
Bremridge, R.
Brockman, E. D.
Brooke, Lord
Brooke, Sir A. B.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, E. H.
Burghley, Lord
Burke, Sir T. J.
Burrell, Sir C. M.
Butler, P. S.
Buxton, Sir E. N.
Callaghan, D.
Cardwell, E.
Carew, W. H. P.
Castlereagh, Visct.
Cavendish, hon. C. C.
Cavendish, W. G.
Cayley, E. S.
Chaplin, W. J.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Cholmeley, Sir M.
Christopher, R. A.
Christy, S.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clive, H. B.
Cobbold, J. C.
Cocks, T. S.
Coke, hon. E. K.
Cole, hon. H. A.
Coles, H. B.
Compton, H. C.
Conolly, Col.
Corbally, M. E.
Courtenay, Lord

Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Cubitt, W.
Currie, H.
Dalrymple, Capt.
Deedes, W.
Deering, J.
Denison, W. J.
Devereux, J. T.
Disraeli, B.
Dodd, G.
Douro, Marq. of
Drumlanrig, Visct.
Drummond, H.
Duckworth, Sir J. T. B.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
Ebrington, Visct.
Edwards, H.
Egerton, W. T.
Ellice, rt. hon. E.
Elliott, hon. J. E.
Emlyn, Visct.
Enfield, Visct.
Estcourt, J. B. B.
Farrer, J.
Ferguson, Sir R. A.
Ffolliot, J.
Filmore, Sir E.
Fitzpatrick, rt. hn. J. W.
Fitzroy, hon. H.
Foley, J. H. H.
Forbes, W.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Gordon, Adm.
Gore, W. R. O.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Granby, Marq. of
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Guest, Sir J.
Gwyn, H.
Haggitt, F. R.
Halford, Sir H.
Harris, hon. Capt.
Hay, Lord J.
Hayes, Sir E.
Hayter, W. G.
Headlam, T. E.
Heald, J.
Heathcote, G. J.
Heathcote, Sir W.
Henley, J. W.
Herbert, H. A.

Herries, rt. hon. J. C.
Hervey, Lord A.
Hildyard, R. C.
Hildyard, T. B. T.
Hodges, T. L.
Hodges, T. T.
Hogg, Sir J. W.
Hood, Sir A.
Hope, Sir J.
Hope, H. T.
Hope, A.
Hornby, J.
Hotham, Lord
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Hughes, W. B.
Ingestre, Visct.
Inglis, Sir R. H.
Ireland, T. J.
Jermyn, Earl
Jervis, Sir J.
Jervis, J.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Jones, Capt.
Keogh, W.
Keppel, hon. G. T.
Kildare, Marq. of
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. E.
Lascelles, hon. W. S.
Law, hon. C. E.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Loch, J.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Lygon, hon. Gen.
Mackenzie, W. F.
Mackinnon, W. A.
Macnamara, Maj.
M'Naghten, Sir E.
M'Tavish, C. C.
Meagher, T.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Manners, Lord C. S.
Manners, Lord G.
March, Earl of
Marshall, W.
Martin, C. W.
Masterman, J.
Matheson, A.
Matheson, J.
Matheson, Col.
Maxwell, hon. J. P.
Melgund, Visct.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Molesworth, Sir W.
Monsell, W.
Moody, C. A.
Moore, G. H.

Morpeth, Visct.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Mure, Col.
Neeld, J.
Neeld, J.
Newdegate, C. N.
Nugent, Sir P.
O'Brien, J.
O'Brien, Sir L.
O'Brien, T.
Ossulston, Lord
Owen, Sir J.
Packe, C. W.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, Col.
Philips, Sir G. R.
Pinney, W.
Plumptre, J. P.
Plowden, W. H. C.
Powell, Col.
Power, N.
Powlett, Lord W.
Price, Sir R.
Prime, R.
Pugh, D.
Rawdon, Col.
Renton, J. C.
Repton, G. W. J.
Reynolds, J.
Rice, E. R.
Rich, H.
Richards, R.
Romilly, J.
Rushout, Capt.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Sadlier, J.
Seymer, H. K.
Seymour, Sir H.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Slaney, R. A.

Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smollett, A.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Spearman, H. J.
Stafford, A.
Stanley, hon. E. J.
Stanley, E.
Strutt, rt. hon. E.
Stuart, H.
Stuart, J.
Sturt, H. G.
Sutton, J. H. M.
Talbot, J. H.
Taylor, T. E.
Tenison, E. K.
Tennent, R. J.
Thornhill, G.
Tollemache, J.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Traill, G.
Trelawny, J. S.
Trevor, hon. G. R.
Trollope, Sir J.
Vane, Lord H.
Verner, Sir W.
Verney, Sir H.
Vesey, hon. T.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col.
Wellesley, Lord C.
West, F. R.
Whitmore, T. C.
Williamson, Sir H.
Wilson, M.
Wood, rt. hon. Sir C.
Worcester, Marq. of
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Adair, H. E.
Adair, R. A. S.
Aglionby, H. A.
Alcock, T.
Anderson, A.
Baines, M. T.
Barkly, H.
Baring, rt. hon. F. T.
Barnard, E. G.
Benbow, J.
Benett, J.
Bennet, P.
Berkeley, hon. H. F.
Bernal, R.
Birch, Sir T. B.
Blackstone, W. S.
Blake, M. J.
Blewitt, R. J.

Bouverie, hon. E. P.
Bright, J.
Brisco, M.
Brocklehurst, J.
Brotherton, J.
Brown, H.
Brown, W. S.
Busfeild, W.
Cabbell, B. B.
Carter, J. B.
Cavendish, hon. G. H.
Clay, Sir W.
Clifford, H. M.
Cobden, R.
Colebrooke, Sir T. E.
Collins, W.
Cowan, C.
Crawford, W. S.

Dashwood, G. H.
Davie, Sir H. R. F.
D'Eyncourt, rt. hon. C.
Douglas, Sir C. E.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncuft, J.
Ellice, E.
Evans, W.
Ewart, W.
Fagan, W.
Fergus, J.
Ferguson, Col.
Fitzwilliam, hon. G. W.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Gardner, R.
Godson, R.
Gooch, E. S.
Greenall, G.
Greene, J.
Hall, Sir B.
Hardcastle, J. A.
Hastie, A.
Heathcoat, J.
Henry, A.
Heywood, J.
Hindley, C.
Hollond, R.
Hume, J.
Humphery, Ald.
Hutt, W.
Jackson, W.
Ker, R.
Kershaw, J.
King, hon. P. J. L.
Lennard, T. B.
Long, W.
Lushington, C.
M'Gregor, J.
Marshall, J. G.
Martin, J.
Mitchell, T. A.
Morris, D.
Mowatt, F.
Muntz, G. F.
O'Brien, W. S.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Osborne, R.
Palmer, R.
Pattison, J.
Pearson, C.
Pechell, Capt.
Pigott, F.
Pilkington, J.
Raphael, A.
Reid, Col.
Rendlesham, Lord
Ricardo, O.
Robartes, T. J. A.
Robinson, G. R.
Rufford, F.
St. George, C.
Salwey, Col.
Sandars, G.
Scholefield, W.
Scrope, G. P.
Seeley, C.
Sheridan, R. B.
Sidney, Ald.
Simeon, J.
Smith, J. B.
Spooner, R.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Stuart, Lord D.
Stuart, Lord J.
Talfourd, Serj.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Turner, E.
Turner, G. J.
Villiers, hon. C.
Vivian, J. E.
Wakley, T.
Walmsley, Sir J.
Walter, J.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willoughby, Sir H.
Wyld, J.
Yorke, hon. E. T.
Yorke, H. G. R.

TELLERS.
Horsman, E.
Bowring, Dr.

House went into Committee *pro formâ*, and resumed.

Committee to sit again.

House adjourned.

HOUSE OF LORDS,

Monday, March 6, 1848.

MINUTES.] *Took the Oaths*—Several Lords.

PUBLIC BILLS.—3^a and passed:—New Zealand Government.

PETITIONS PRESENTED. From Clerks and others engaged in the Administration of the Poor Laws, for making Provision for their Superannuation when they may become Permanently Disabled.—From Whitchurch, and Skreen, against the Present System of National Education (Ireland).—From Watten, and Stoke, against the Diplomatic Relations, Court of Rome, Bill.—From Members of Two Lodges of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From Modbury, and Royston, against the Admission of Jews into Parliament.—By the Archbishop of York, from Ipswich, and York, for the Enactment of Sanitary Measures.—From Stowmarket, for the Adoption of Measures for the Suppression of Seduction and Prostitution.—From Two Dissenting Congregations of Mirfield, for the Better Observance of the Sabbath.—From Auchterarder, against the Increase of National Defences.

HOUSE OF COMMONS,

Monday, March 6, 1848.

MINUTES.] NEW WRIT.—For Carlisle, *v.* William Nicholson Hodgson, Esq., and John Dixon, Esq., void Election.

PUBLIC BILLS.—1^o Municipal Corporations (Ireland).

PETITIONS PRESENTED. By several Hon. Members, from various Places, for and against the Roman Catholic Relief and Jewish Disabilities Bills.—By Mr. Keppel, from Southampton, and Mr. Smyth, from Solicitors of York, for Repeal of Duty on Attorneys' Certificates.—By a great many Hon. Members, from several Places, against the Continuance of the Income Tax.—By Mr. Hughes, from Carnarvon, for Repeal of the Window Duty.—By Colonel Verner, from Parish of Newtown Hamilton, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. T. Wawn, from South Shields, for Sanitary Regulations.—By Sir W. Somerville, from Drogheda, for Alteration of the Landlord and Tenant (Ireland) Bill.—By Mr. Cobden, from several Places, for Retrenchment of the Naval and Military Expenditure, and against the Enrolment of the Militia.—By Mr. E. Stanley, from Workington, and Lord H. Vane, from Hartlepool, against the Repeal of the Navigation Laws.—By Lord E. Bruce, from Marlborough, for Alteration of the Poor Law.—By Mr. C. Cavendish, and other Hon. Members, from several Places, for Alteration of the Public Health Bill.—By Viscount Drumlanrig, from Langholm, for Ameliorating the Condition of Schoolmasters (Scotland).

VISCOUNT PALMERSTON AND MR. URQUHART.

MR. URQUHART said, that on Wednesday last the noble Lord the Member for Tiverton (Viscount Palmerston) had attributed to him corrupt motives in making the statement he did respecting the noble Lord's conduct in the Foreign Office. The corrupt motive attributed was, that his (Mr. Urquhart's) being removed from office, was the reason why he had made those charges, and continued to make them. Any such imputation would disqualify him, if true, for having the honour of a seat in that House; and he was sure that if false, he should be equally disqualified if he did not rebut it. A charge of such a nature was not to be bandied about: it was incumbent on the noble Lord to bring forward the grounds on which he made it. But without waiting for those grounds, he would show that the allegation was groundless. Two facts contradicted the insinuation of the noble Lord. The first was, that the charges he had brought forward had been advanced by him before his appointment. So far, indeed, from agreeing with the noble Lord up to the time of his recall, he had been in conflict with the noble Lord from the first moment they had come in contact. On his side, the noble Lord had—he referred now to the years 1834-5—been insidiously and underhandedly maligning and calumniating him. The noble Lord had been insidiously and underhandedly maligning and calumniating him—he held the proofs in his hand—representing him at one time as a firebrand, disturbing the peace of Europe, by hatred of Russia; and at another time as a Russian agent. [*Lord Palmerston made a gesture of denegation.*] Did the noble Lord deny the statement? Why had not the noble Lord, in his elaborate reply, answered the charge when formally made, that the noble Lord had represented to the Turkish Government that treaty of commerce, which had recently been so much commented on, as a Russian project? If it was a Russian project, then must he have been a Russian agent. On this and such like acts, were founded his first suspicions of the noble Lord. These were not suppressed; they were communicated to those connected with him in the public service, and were well known to the noble Lord. Then came a change in the conduct of the noble Lord, and then for the first time concert between them: not that he had gone over to the measures of the noble Lord, but the noble Lord had come to concur with him in measures which were exactly the reverse of his former course. So much then for his charges following his recall, which they must have done if they had been prompted by that act.

The second fact was, that this recall had never been the ground of any complaint. His position had been made painful to the last degree; and he held in his hand the letter which he had addressed to the noble Lord at the period of his recall—taking no exception—making no complaint—and expressing, he might almost say, gratitude to the noble Lord. He had not at that time reason to suspect that the noble Lord was about to abandon the measures which he had adopted; nor was it till many months after that he brought forward in a public manner his former charges, having been now again satisfied of their truth by the acts of the noble Lord, or by circumstances which had come to his knowledge in the interval. His recall had thus nothing on earth to do with the charges; but the noble Lord had been the first to make charges against him. The noble Lord had attempted to fasten upon him this very complaint; he had industriously taken every means to ruin his character, to disqualify him as a witness against himself. The noble Lord on a former occasion had read a lengthy extract from a correspondence which had passed between the noble Lord, Mr. Backhouse, and himself; and which had been inserted at various times in the newspapers. He appealed to that correspondence as affording the proof on the second of the two points which he had mentioned. He called upon the noble Lord to lay that correspondence on the table of the House. The noble Lord could not pretend any injury to the public service, since it had been already printed. The noble Lord could not complain of being taken unawares, for every line of it on his side had been written for publication; but in case the noble Lord refused, he would read to the House a short extract, which would show the character of the grievances which he had against the noble Lord:—

TO MR. J. BACKHOUSE.

July 20, 1838.

"That my letter is founded on any such assumption, is wholly groundless. It was as positively put by me, and as clearly understood by Lord Palmerston, as any proposition could be, that I made no complaint or objection whatever to my recall from Constantinople; but that I claimed—that I demanded—justice and redress for injury inflicted on me by the withholding of charges made by the Ambassador—by the false statements made at the interview itself—by the dissemination of calumny from official sources—and by the official sanction given to the insertion of paid libels in the public press."

He had now shown that the insinuation of motives of the noble Lord was utterly incompatible with the facts; that his charges had been made before his appointment to office; that a change in the conduct of the noble Lord had induced him to abandon those charges; that they were not resumed at his removal from office, but at a subsequent period, and in consequence of other acts; that his course had been consistent and the same; that what he had said at the beginning he had said at the end; and he now called upon the noble Lord either to retract the insinuations to which he had given utterance on Wednesday last, or to lay upon the table of the House the correspondence to which he had referred.

VISCOUNT PALMERSTON: I own I

did state the other day, that it was my impression—an impression very much corroborated by the statement which the hon. Gentleman himself made on the last occasion in this House—that his removal from office had inspired him with his opinion regarding my conduct. I think the hon. Member said, on a former occasion, that even at the moment when he was recalled, he believed I had recalled him for the furtherance of certain views, and that he thought he had been made a sacrifice to forward his own views of general policy. I have, I confess, that impression on my mind—it may be wrong, or it may be right; but I shall have no objection to lay on the table the letters to which the hon. Gentleman alludes—almost all of them, I believe, were published in the newspapers. With regard to what he now states—that from the first time we came in contact we were in conflict—the hon. Member himself has said, that at the time when he accepted the appointment offered him, he did so because he was convinced, not that he concurred with me, but that I concurred with him. It would appear, then, that an official conflict between two persons connected with each other is not a very hostile collision. The hon. Member says, he thought I concurred with him at the time he accepted the appointment; he has also said that he thought I concurred with him at the time I removed him. That was a long period; and therefore there must be some exception to the assertion that from the first time we were in contact we were in conflict. And the hon. Gentleman will not say, I am sure, that if he thought at the time he accepted office that my views of policy were such as he condemned, he would have accepted office under a person of whose views he did not approve. He has said, that even before I appointed him I had endeavoured to undermine him in public opinion; but I have never attempted to undermine him. I certainly must say, though it may cast some imputation on my own friends, that I was told at the time of the appointment I had done an injudicious act; but believing at the time I made a proper appointment, I maintained it, and the hon. Gentleman went out.

THE INCOME-TAX.

On question that the House resolve itself into a Committee of Ways and Means,

Mr. HUME, before the Speaker left the chair, begged to call attention to the fact, that on former occasions, when any tax had been proposed, it had been the practice for the Minister to state the budget, as it was called, showing the ways and means, and the expenditure to be incurred; where there was an excess of receipts, to submit to the House what he would do with them; and where there was a deficiency, to state to the House how he would make it good. The noble Lord at the head of the Government had stated, that the income, according to the best estimate he could make for the ensuing year, would be 51,250,000*l.*; and that the expenditure would amount to 54,596,000*l.*, leaving a deficiency of about 3,500,000*l.*; or, with the deficiency of last year, the deficiency would amount to a sum equal to about 5,000,000 sterling. He was to provide for that by adding 2 per cent to the income-tax — thus making it 5 per cent, which he calculated would defray the arrears of the last year, and the increasing expenditure of the coming year. Now the Government had withdrawn their proposition for the addition to the income-tax, and now only intended to continue the 3 per cent; and he wanted to know how the deficiency would be made up. It was true they might go into Committee, and vote for the continuation of the income-tax, at 3 per cent; but that only formed an item of the 51,000,000*l.*, and he did not think he ever knew an instance in which the House had proceeded to vote any one tax, where there was a deficiency, until they had from the Government some statement as to how they intended to raise the surplus. He would now ask the Government, before they went into Committee, in what way they intended to make up the deficiency of last year? He thought, before the House resolved itself into a Committee of the whole House, to take a part of the supplies, they should have some explanation as to how the remainder was to be made up; and he appealed to the right hon. Baronet as to his recollection of the practice. Supposing the additional expense was abandoned, and the expenses of the current year were not to exceed the expenses of the past year, still there would be a deficiency, and how was that to be made up?

Sir R. PEEL: I beg pardon of the hon. Gentleman, but I took it for granted that the hon. Gentleman was asking a question, not of me, but of the right hon. Gentleman the Chancellor of the Exchequer. He asks me whether or not I recollect such a proposition being brought forward as to ask the House to go into a Committee to vote part of the supplies, without some explanation being given as to how the remainder was to be made up; and I am bound to say, that the experience of the four years before I accepted office in 1841 is in favour of that course. During the time I was in office, I had no such experience; but in 1840 and 1841 there was a deficiency, and an admitted one, and yet the budget was allowed to proceed.

The House in Committee.

The Resolution for the continuance of the income-tax for a limited period having been read,

MR. HUME was sorry that the right hon. Gentleman opposite had taken the trouble of answering him as he did. Two things were important, seeing there was a deficiency even if they agreed to this tax: he wanted to know whether the Government intended to abandon the increased establishments which occasion the increased expense for the coming year; or, having abandoned the additional 2 per cent, in what way they proposed to make up the deficiency? Those were two points which he hoped the Chancellor of the Exchequer would answer.

The CHANCELLOR OF THE EXCHEQUER: I am quite ready to answer the question of the hon. Gentleman; and if he had only done me the favour to attend to what I said on a previous night, he would not now find it necessary to question me on the subject, for I then stated the course which it was the intention of the Government to take. I said the Government did not propose to diminish the amount of the force they would require for the year—that is, the number of men—but I said we were anxious, if possible, to reduce the expenditure upon all the services; and with the view of satisfying the House whether we could do it, and of enabling them to inquire into the expenses, I made a proposal for the appointment of two Committees—one to inquire into the Naval, Military, and Ordnance Estimates; the other to inquire into the Miscellaneous Estimates; and the House has, as hon. Gentlemen are aware, acceded to that proposal. So far with regard to any reduction of expenses. I said that we had resolved to abandon the additional per centage of income-tax, and proposed, out of the balances in the Exchequer, to provide for the deficiency. On all former occasions it has been the practice to charge on the supplies of the ensuing year any excess of expenditure in the past year. In compliance with which rule we proposed to charge on the supplies of next year the excess of naval expenditure and the expenses of the Kafir war. It was, however, the custom that such excess should in the first instance be paid out of the balances, and that the sums should be replaced out of the supplies of the ensuing year; but it is now proposed to take those charges out of the balances without replacing them out of supplies of the next year. That will amount to 1,245,000*l.*, but still there remains 1,800,000*l.*, which, if the expenditure within the year is as large as that which my noble Friend stated, and the income no larger than that which we have reason to expect, there will no doubt be an excess of expenditure. We propose to deal with that deficiency according to a practice which was introduced by Lord Althorp, and acted upon, I believe, by Mr. Baring, namely, of having recourse to the Exchequer balances to meet any extra expenditure. There are many advantages attending that course; for instance, we were able to meet the demands upon us for Ireland in the year 1846, without calling upon Parliament. By using those balances the Government were enabled to bridge over such periods as the present, when, from the distress of the country, and the great calamity that had fallen on it arising from the destruction of the people's food, they would otherwise be under the necessity of borrowing. It is essential, however, in doing that, we should be assured of a certain income for a certain time; and although in one year the expenditure may exceed the income, yet taking a period of three years, the average expenditure of those three years may be met by the average income, relying as I do upon the support of the House in resisting any further reduction of taxation without a substitute being provided. I hope that in the course of those three years the income will increase, and that what I have now said will sufficiently explain to my hon. Friend the course we propose to adopt. When I come to make the proposal to continue the income-tax for three years, I shall state the reasons for adopting that course, and the mode by which we propose to carry it out into effect.

MR. HERRIES said, the answer given by the right hon. Gentleman the Chancellor of the Exchequer appeared to him unsatisfactory as applying to the question put by the hon. Gentleman the Member for

Montrose. The House must bear in mind that this was the second budget; and that by the first budget it was intended that a complete provision should be made for the deficiency. That complete provision consisted of two parts—one to be obtained by the continuance of the present income-tax, and the other by making an addition to it of 2 per cent, by which it was expected that the Government would cover a deficiency of three millions. The right hon. Gentleman the Chancellor of the Exchequer, when he abandoned—as he was induced to do on very good grounds—that addition to the property-tax, told them what he had now again stated, that he would make a provision for the remainder. He did not at that time notice the subject, knowing well it must come on to be discussed again, but it struck him at once as being altogether insufficient and unconstitutional for the supplies of the year. He proposed to pay the excess out of the balances in the Exchequer; and that might be a reasonable mode of paying it *ad interim,* but it was not the way of making a provision for it. There was not one of those balances that was not appropriated already, and there was not one of them that had not a charge on it. It was possible that, if, on a review of the supply and the ways and means of last year, they could show a surplus of ways and means, that was no doubt a fair and legitimate subject to use for the supplies of the ensuing year; but no such thing was presented to them, and there was a confusion of terms when they used the words balance on this subject. There were not only not balances of account, but balances of cash in the Exchequer at the time; and if a tradesman or merchant were to say, because he had cash in hand, he therefore had the means of applying that to all his liabilities, without considering that it was already pledged for his liabilities, he would fall into the mistake of the Chancellor of the Exchequer. That was no Parliamentary provision at all, and when he came to balance his supplies with his ways and means he would find it the vainest of all things. He could not do it. He would like to see the Chancellor of the Exchequer put that into the shape of a vote. That was the test—and he defied him to make that intelligible to anybody. He would be bound to make it intelligible that he was voting the same thing twice over, and that those balances had been applied already. He would now call attention to the possible danger of this course. Under any circumstances it must be confessed if they diminished their balances in the Exchequer, that was to say, the cash that was accumulating for the payment of those charges at the end of the quarter, they must throw themselves on the Bank to some extent. Was that a time, and was it, he asked them, under such circumstances as the present, that they were to adopt such a course as that proposed by the right hon. Gentleman, who merely sought to avoid a little temporary inconvenience, instead of coming forward in an open and straightforward manner and asking for the means of meeting the necessities of the time? He had only risen to say that he was dissatisfied with the answer given by the right hon. Gentleman the Chancellor of the Exchequer, to the question put by the hon. Member for Montrose. And he should only add that, although under ordinary circumstances the Chancellor of the Exchequer might not be called upon to state the whole of his ways and means for the year, at the beginning of the Session, yet they stood in different circumstances from the ordinary at present. The noble Lord had come down and given them his budget, and they were, therefore, in a position to call upon the Chancellor of the Exchequer for further information, as the right hon. Gentleman had left the budget in a most unsatisfactory and misty state.

Mr. HUME could not but express his deep regret at the course persisted in by the right hon. Gentleman the Chancellor of the Exchequer. That right hon. Gentleman was just in the position of a trustee who had certain trust money for a particular purpose in his hands. Let them then suppose the case that the Chancellor of the Exchequer were a trustee over another individual's property, and that he had a certain balance of funds belonging to the trust estate which were not immediately required; would he be justified in taking a certain sum out of that balance which was already appropriated, although not immediately wanted, for the purpose of applying it to stop a gap elsewhere, in the hope of being able to make it up again before it would be wanted? How many individual men had done similarly before now, and had failed in finally being able to replace the money so appropriated. But, to be sure, public men might be able to do that which private individuals could not. But the House ought not to be satisfied with such an attempt to "bridge over" (that was the phrase) the present difficulties. If they had not an income sufficiently large to meet the expenditure, there was only one other mode of making them meet; and it was the reduction of the expenditure to the level of the income. That was the only true way. And he would not agree even to give the Chancellor of the Exchequer the income-tax for one year only, except for the purpose of giving time for the making of the reductions which should enable them to meet the fair amount of income, lest, if the tax were to be at once refused, they might be "brought up all standing," to use a seaman's phrase. But the House should have some assurance that the Chancellor of the Exchequer would devise some other means, which he should state plainly. He was willing to give the Government time to turn themselves round. Since the last meeting, he had taken some trouble in looking over the documents that had been laid on the table of the House, for the purpose of explaining how the country came to be reduced to its present state; and from the examination he had made, he was prepared to say that if they chose to do so, they were in a condition to reduce their expenditure below their income, and below what their income would be had the income-tax never been imposed. He had taken the average expenditure of the years 1845, 1846, and 1847, and the average of 1833, 1834, and 1835, and from that he would show that the whole increase of our income had been expended upon the additions that had been made to our military expenses. The average number of men in the Army, Navy, and Ordnance in the years 1833, 1834, and 1835, was 121,000, and the average expenditure was about 14,407,000*l*. For the years 1845, 1846, and 1847, the average of men in the Army was 105,000; in the Navy, 40,000; and in the Ordnance, 10,000, making in all 155,000; and the consequent expenditure averaged 20,586,000*l*., being above 5,000,000*l*. more than the average expenditure for 1833, 1834, and 1835. And for the present year the total of men for Army, Navy, and Ordnance was set down at 177,000, at an expense of 18,500,000*l*.; and, with the Miscellaneous Estimates, the total cost was 28,000,000*l*. showing an increase of 8,000,000*l*. in the annual expenditure since the year 1833. He contended that neither policy nor justice warranted them in continuing such a system, and that they ought to tell Her Majesty's Government that they should act as every other party did that found themselves in difficulties — that, in short, they should try back. If they allowed the Chancellor of the Exchequer to go on in the course that had been pursued for the last thirteen or fourteen years, they would soon see repudiation—ay, even national bankruptcy. He should therefore propose, that instead of the words "for a time to be limited," the words "not exceeding one year" should be introduced after the word "time." And he begged to add that it was his intention to take the sense of the Committee upon the Amendment.

The CHANCELLOR OF THE EXCHEQUER said: From some of the observations which the hon. Gentleman the Member for Montrose has made, in spite of his opposition to the proposal of the Government, I have certainly received some comfort. I allude to those in which he stated that he was as anxious as any hon. Member of this House to maintain the national credit and the public character. It is for the support of the public credit, and for the maintenance of the character of this House, that I come down and call upon the Members of it, and upon the hon. Member for Montrose amongst the rest, to vote the continuance of this income-tax for a limited period—and by the words "a limited period," I mean the term of three years—and to reject the proposition of my hon. Friend to limit that period to one year. The words of the resolution mention only "a limited period;" but, the question really before us is whether this tax is to be continued for one year or for three years. I think that is the fairest way to put it. And I do call upon the House, as hon. Members regard the public credit and the character of the House, not to accede to the proposition of my hon. Friend. I have already stated, that when we had to consider the nature of the financial proposals to be made to the House, we thought ourselves bound, in conformity with the practice of all previous Governments, to make such a proposal as would render the income of the country equal to its expenditure. I do not mean that it should equal the expenditure actually within the coming year, but that the taxation should be raised to such an amount as would make the yearly income equal to the yearly expenditure within a reasonable period. We accordingly proposed to continue the income-tax for a limited time at the same per centage as the present; and for a shorter time, namely, for the period of two years, to put on an additional per centage of two per cent. We did so, however, because the charge for the excess of last year, and that for the Caffre War, was clearly temporary; as is also much of that for the works now going on in our dockyards—the heaviest portion of these will be executed in two years; and we had good reason, therefore, for believing that when that period had expired, there would be no difficulty whatever in parting with the additional taxation, because the purposes for which we had to incur the expenditure would have been fully met. On that subject, however, I must say that the House of Commons did show an almost unanimous determination, all parties agreeing that no additional taxation should be imposed. The right hon. Gentleman opposite (Mr. Herries) has said to-night, that it was upon good grounds that the Government abandoned their proposal of additional taxation; and certainly from all quarters of the House we did receive such an expression of opinion as rendered it impossible for us to persevere in our proposal. It is, however, as certain that from all the communications which we had with different parties before the proposal was made, we had no reason to doubt but that the country generally saw the necessity of the case, and were prepared for a time to submit to the additional taxation. Under these circumstances, believing that the increased expenditure was necessary, but at the same time that it was only temporary, we thought that it should be met by only a temporary increase of income; and I think the House will agree with me that it was not advisable to impose a permanent tax to provide for a temporary want. It was not expedient to propose an additional per centage upon the assessed taxes or upon any existing tax, for reasons which I have given on a former occasion; and I am still of the opinion which I first expressed to the House, that for the purpose of meeting the extraordinary expenditure the best tax that could have been proposed, and that which would have least interfered with the trade and commerce of the country, was the increased per centage on the income-tax. However that being refused, we had then to consider by what other means we could meet the temporary deficiency; and the first subject to which we turned our attention was the state of the balances in the Exchequer. With large balances in hand, we might not be able to avoid borrowing altogether, but to avoid permanent borrowing. We should be under the necessity of applying to the Bank for the usual advances at quarter day; but the balances, I believe, will be of such an amount as to enable us to go on without any assistance from the Bank, more than usual, even in the month of April, 1849, when, of course, they will be the lowest. At the end of this year, which closes in April, the balances will amount, I think, to nearly 7,000,000*l.* Supposing them to be reduced by 1,500,000*l.*, which is about the estimated difference between our income and expenditure for the coming year, there still will remain 5,500,000*l.* I may therefore easily borrow to meet the temporary want, without asking for any extraordinary aid from the Bank. The hon. Gentleman the Member for Montrose seems to think that it is an unheard-of thing not to provide within the year an income equal to the expenditure for the year. Why, at the time referred to by the right hon. Gentleman opposite (Sir R. Peel), although he provided an income equal to the expenditure one year with another, there was a probable deficiency for the year 1842–3, in the budget of 1842, as stated by the right hon. Baronet himself, of 1,300,000*l.* at the end of the year, because the last half of the income-tax was not receivable until the coming year. In point of fact, in April, 1843, there was an actual deficiency of 2,400,000*l.* The second half-year's receipt of the income-tax was, however, received in the course of the summer, and the income of the two years very much exceeded the joint expenditure of the two years. Now, when the hon. Gentleman the Member for Montrose says that the course we are about to pursue is one which does not meet with his approbation, I can only assure him that there is no Member of this House more unwilling to pursue the course than myself. But I think it is rather hard on the part of my hon. Friend, and even the right hon. Gentleman opposite (Mr. Herries), who both agree in preventing us imposing additional taxation, that, having refused us the means of making our income equal to our expenditure by the plan we originally proposed, they should also refuse to sanction the course we now propose; for, unless we have additional taxation in some shape or another, we have no possible means of making our ways and means equal to the demand upon them, except by temporary or permanent borrowing. If I entertained any doubt that in the course of a certain time the income of the country, by the plan we propose, would be such as not only to equal the expenditure, but so far to exceed it as to enable me, or whoever may occupy my situation, to exhibit a surplus to cover the deficiency of the coming year, I should not stand here to propose the course I have proposed; but I do believe that, looking to the possible reduction of expenditure—which, however, cannot be expected within twelve months, but which we may be able to effect within two or three years—looking also to the possible increase of income within the same period, I think it not merely possible, but highly probable, that in the course of three years the income will, on an average, more than equal the expenditure. I have this further assurance, that if it should be found that in the course of the year—for from the extraordinary circumstances of the last two years it is not very easy to judge with precision in this matter—the income was still considerably deficient, the then Chancellor of the Exchequer would have an opportunity early next Session of proposing some other plan to make that a certainty which is at present only a matter of probability. But if the House, having refused us the additional percentage we propose, should also refuse to continue the present amount of income-tax for a sufficient time to afford us a reasonable and fair prospect that the income will equal the expenditure in the course of three years, I must say that the House will thereby take the first step towards repudiation and the destruction of public credit, and will sanction a course for which I cannot undertake to be responsible. I feel that the country is smarting under recent distress; that the people are suffering from the greatest calamity which can befall a nation—the destruction of their food—which has recently occurred to so great an extent; and I am not surprised that they are unwilling to submit to additional imposts upon them. I think they are wrong in so doing. I think it would have been a much better course to submit to an additional burden for a time. That was what I recommended as the best course, in my opinion; but I am not surprised that the country should take another view of it, though I do not know but it would have been the most economical course in the end. But I do think that at all events the House is bound, under the circumstances, to grant us the renewal of the income-tax for such a time as will within that time afford the reasonable prospect of the income being equal to the expenditure. If you do not, public credit will undoubtedly suffer; and I must say, that, let whoever may undertake the task of carrying on the Government in such circumstances, Her Majesty's present advisers will not be a party to so discreditable a course. I think it would not be consistent with the character of the House to adopt such a course with respect to this tax. It is perfectly true that this is not the same Parliament which has twice already voted the same tax, in the same shape, to the same amount, and for a similar period; but, surely, we owe something to the character of the Legislature, which should prevent us turning round and reversing the course which, with wonderful concurrence, was pursued by all parties in the House on previous occasions with respect to this tax. It is not a tax which Gentlemen on this side of the House originally approved of; but, looking to the state of public affairs, and the course which the great majority of the House have uniformly adopted with respect to this tax, I repeat that I do not think it consistent with the character of the House to turn round and reverse that course. When the tax was first proposed, it was no doubt partly with the view of covering the deficiency in the revenue of the country. It has been said that the right hon. Gentleman (Sir R. Peel) deceived the country with regard to the grounds upon which he proposed it. Now, what did the right hon. Gentleman state at the time when he first proposed it—I mean in 1842?—

> "It is not merely the deficiency with which we have to deal; it is my intention to apply a great portion of the surplus to the remission of other taxes which press heavily upon the country, as well as to the removal of the duties upon other articles which interfere with the productive industry of the nation. I consider, in proposing the income-tax that I give a great boon to the country —to the productive industry of the country—to the manufacturing, commercial, and trading interests of this nation."

The House adopted that proposal in 1842. Well, what was the course adopted in 1845, and what was the sanction then given to the renewal of the tax? In 1845 there was no deficiency whatever. There was on the contrary, a surplus of 5,000*l.* The right hon. Gentleman came down to the House, and in effect stated—

> "I have a surplus of 5,000,000*l.*; I can afford to repeal the income-tax, but I propose, with a view to enabling me to carry out my policy of

> relieving industry from further taxation, and relieving the consumer by the removal of other duties, to renew the income-tax for a period of three years; I should prefer it for five years, but a period of three years is the least for which I can undertake to propose it."

Now, the House was not only fully aware of this, but the right hon. Gentleman and other individuals (myself among the number) distinctly warned the House that if they acceded to the proposal for the reduction and remission of taxation, they must not hope to have this tax taken off in three years. The hon. Gentleman (Mr. Hume) has again referred to the mode of levying the tax; but I must repeat, that the right hon. Baronet in proposing the renewal of the income-tax, in 1845, did not give the slightest hope that there would be any difference made in the mode of rating. He came fairly down to the House and said—

> "I feel that if you are to have a tax at all on property, it ought to be upon income, and not upon accumulated property. I think nothing could be more mischievous in every way than a tax upon accumulated profits; nothing I think, could be a more dangerous precedent."

The House, then, was fairly warned on the subject. They were told that if they agreed to make the experiment in taxation which was proposed, they must acquiesce in the renewal of the income-tax, without any distinction of rating in different schedules, for a period of three years at least; but the right hon. Baronet did not think that in three years the experiment would be fairly tried. Well, what was the decision of the House? Mr. Roebuck having proposed an Amendment to leave out "professions, trades, and offices," only fifty-five Gentlemen supported him. On a subsequent occasion a division took place as to whether the tax should be imposed at all. I was mistaken when I said the other night that there was no division. There was a division; but how many Gentlemen were found supporting the proposal to negative the tax? Only thirty. The House, by an overwhelming majority, sanctioned the tax for a limited time on the footing on which it now stands. The purpose for which the tax was imposed having been carried out as proposed by the right hon. Gentleman, by a remission of taxation and a reduction of duties—and commerce and manufactures and the consumer having had the benefit of those measures—I do call upon those Gentlemen connected with the classes who in particular have had the benefit of these measures to continue the tax for a certain time longer, in order that the experiment may be fairly carried out. I do not ask you now to agree—it is not necessary—that this shall be a permanent tax. Some Gentlemen think it ought to be, others think it should not. But what I ask of you is, to give us an opportunity of bringing our income up to the level of our expenditure. Make reductions if you will, provided they are consistent with the interests of the country; but, till that time arrives, Parliament ought to give us, for a limited time, the tax as it now stands. If any man thinks that the income will be brought to the level of the expenditure in the course of a year, he is of course at liberty to vote with the hon. Gentleman to limit the tax for that period; but I believe, and I think a majority of the House will concur with me, that it is not likely—that indeed it is not possible—that within the year such should be the case. I think I have taken the shortest possible period in which this result can be attained; and therefore, for the sake of maintaining the character of the House, for the sake of maintaining the national credit, I do call upon the House to concur in renewing the tax for a limited time, to enable the great experiment which was begun in 1845 to be fairly carried out. Some hon. Gentlemen are of opinion that the circumstances of last year have entirely falsified the principle of the measures of free trade; but I think they have not made sufficient allowance for the calamity which befell this country. The experiment that was made in 1842 succeeded; but the calamity of 1846 has overthrown the calculations that were made, and it was quite enough to overthrow the wisest that could be made. It was the deficient harvest of 1838, and the great commercial distress which prevailed in 1839, together with the remission of the Post-office revenue, which entailed on my right hon. Friend that deficit which was remedied by the imposition of the income-tax in 1842; and it is the necessity of providing for the consequences of the great failure of the food of the people, of the potato and spring crops in 1846, together with the commercial distress which followed in the course of last year, which has brought about the present state of the finances of the country. I cannot say that I see any early prospect of revival; because, if there were no other circumstances to interrupt its progress, I am afraid the state of affairs abroad, and the uncertainty which that will produce in trade and commerce, will prevent a revival at an early period; but that is only an additional reason for continuing the income-tax for a longer period than a year. The hon. Gentleman has said that it would be exceedingly advisable that all taxes should be imposed for the period of a year only. In reply to that proposal, I need only refer to the effects of an annual discussion on the sugar duties. A point on which more stress was laid than perhaps any other by the West India and the sugar interests was, that nothing was more prejudicial to them than the uncertainty with respect to the future which the annual revision of the duties on their produce gave rise to. The hon. Gentleman must recollect that the West Indians were willing to sacrifice much in order to have their trade put in a permanent position; and I think that the view which they took on this point was well founded and a just one; and that it will be found in all instances that nothing is more injurious to trade than leaving it in doubt and uncertainty. I cannot say, therefore, that the proposal to make all duties annual duties, would, in my opinion, tend to promote the commerce of this country. Neither do I think that it would promote the real good of the country to have an annual discussion on every tax which is imposed. With regard to other taxation, I think that if the House is satisfied that the expenditure proposed is not too much for the circumstances of the country, they ought not to object to the imposition of the necessary taxes for more than one year. With the present power of the House of Commons, and of public opinion, I feel it to be quite unnecessary to retain some annual taxes in order that Parliament may keep a proper check over the expenditure. With regard to what the hon. Gentleman said on the subject of a general revision of taxation, I must confess that I think a general revision of taxation at any one time is an impracticable course. It is far more advantageous to attain the same end gradually, and without throwing great interests, all at once, into confusion. The customs duties have been to a considerable extent already revised. Some of the excise duties also have been revised, and others have been repealed; I have already announced some changes which we propose to make in others of the excise duties. I am perfectly willing and perfectly anxious and ready to go into the consideration of all subjects of that kind; but if the hon. Gentleman will recollect what we had to go through since our accession to office—the famine in Ireland, and the commercial distress of the last season—I think he will admit that we had at least little leisure to devote to such objects heretofore. I feel most anxious to reduce the expenditure of the country to the lowest possible limits consistent with the maintenance of the safety and credit of the empire. The only expenditure in which we are disposed to resist any extensive reduction, is with regard to those establishments which we consider immediately connected with the best interests of the country. Wherever any reduction in the public service can be safely made, we are perfectly ready to acquiesce in it; and we shall not be found to raise any difficulty on account of any loss of patronage which it may involve. A short time ago, we took measures for abolishing the office of Paymaster of Exchequer-bills, and consolidating that establishment with the Paymaster General's office, by which a considerable saving will be effected. Both in office and out of office, I have been always anxious to reduce every expenditure that is not absolutely necessary. We shall be found anxious to assent to every reduction in our power; and in resisting reductions which we believe cannot be safely made, we trust that we shall have the support of the House. I hope that the reasons I have stated will induce the House to assent to the course which Her Majesty's Government propose—a course which in a very short time will, I trust, equalise the income and the expenditure of the country, and which I believe to be indispensably necessary both for our honour and our safety.

MR. SPOONER was understood to say that he was fully as anxious as the right hon. Gentleman the Chancellor of the Exchequer to do everything that was necessary to support the credit and maintain the establishments for the defence of the country; and it was on that very ground that he should feel it to be his duty to give his vote in favour of the proposition of the hon. Member for Montrose, for he considered that nothing could possibly be more dangerous than that they should base their taxation on a system so unpopular as an income-tax, and particularly while the manner in which it was carried out by the commissioners in some parts of the country was calculated to render it more unpopular still. How unjust was it that the man who had 500*l.* a year derived from property—not landed property alone, but any kind of property—should pay no more than he whose income to that amount was the product of indefatigable exertions and untold labour in his profession, and whose income, if health failed or business contracted, was at once gone altogether, or greatly reduced. He asked the House also to consider the case of the small tradesman, who carried on his trade without any capital, but solely by his labour; and there were thousand and tens of thousands in that situation. The small huckster or shopkeeper, or retail dealer, often had no capital whatever; and, receiving from larger dealers week by week his little stock of supplies, carried them home and retailed them to his neighbours, and yet these were taxed as if their profits were the profits of capital. It had been his lot ever since the income-tax was imposed to act as a commissioner for a populous district, where such cases were exceedingly numerous, and came daily under his notice. He had, therefore, ventured, in 1845, when the tax was reimposed, to submit to the House two or three clauses, framed with the view of alleviating these evils; but they were rejected, and certainly the House then gave him no encouragement to bring them again under its consideration; but what made him now determined to support the present Motion—that the tax shall not be reimposed for more than twelve months—was, that by the vote of Friday it was quite clear that the tax was to be carried without any modification whatever of these much-complained of grievances. If that resolution were persisted in, a great injury would be inflicted on the industrious classes generally. It would not be the tradesman only who was injured; let the House look for a moment at the case of the agricultural tenant. The rent of the tenant was assumed to be the index of his profits; but he denied that that was at all a proper criterion. A high rent was imposed because the land was in a high capability of productiveness; but that was only a good reason why the landlord should pay. A lower rent was imposed, because the land had in itself a lower power of productiveness; but the expenses of cultivation were proportionately greater. The capital employed in both cases was nearly alike; and no one would argue for a moment that capital would be employed for any length of time in the same channel at a varying rate of profit. The profit of capital is what you profess to tax—in both cases the capital will be nearly alike—while the rent being taken as the index of profit, the tenant will pay twice as much in one case as is paid in the other. How could such a tax be said to be levied upon the profits of capital? He denied that the rent was any true indication whatever. Then how was it with regard to Ireland? He was not quite sure, but he believed that in 1845 the right hon. Baronet opposite was one of the strongest opponents of the principle of not extending the tax to Ireland. [The CHANCELLOR of the EXCHEQUER: In 1845 I voted for the exemption of Ireland from the income-tax.] In 1842, then? [The CHANCELLOR of the EXCHEQUER: In 1842 there was no vote taken on that point.] He was quite sure that many of the Gentlemen now upon the Treasury benches were opposed to the exemption of Ireland; but he supposed he was wrong in classing the right hon. Gentleman the Chancellor of the Exchequer among them. He knew that it had been said that equivalent taxes were proposed; but were they equivalent? He thought not. If an Irish gentleman lived in England, it was urged he paid the income-tax. True; but suppose he lived abroad, and neither England nor Ireland had the benefit of his expenditure, he escaped the tax altogether. Was that just and equal? As far as he knew, the only argument used by the Government for the exemption of Ireland was her poverty. They admitted that on principle she ought to pay; but she was too poor, and had suffered from famine and disease. Well, was not that argument generally binding with respect to the poor tradesmen of England, or the tenant-farmer who had had the murrain amongst his cattle? He knew farmers in Cheshire, the whole of whose cattle died; but they had still the income-tax to pay. Was there ever a tax so unjust? He thought the House ought to do all in its power to put the Government in a financial position to protect and defend the best interests of the country; and to do that they ought to see that the taxes were grounded on justice, demanded with impartiality, and made to fall as equally as possible on all classes of the community. The late Chancellor of the Exchequer (Mr. Goulburn) the other night said it was impossible to lay on any tax which would not be unjust, but that there was a compensation for this injustice in the inequality of all the others. [Mr. GOULBURN: I did not say unjust, I said unequal.] He accepted the correction, but begged to say that, in effect, all taxes which were unequal were unjust; and he protested against the principle of compensating the injustice done to one class of taxpayers by imposing an unjust tax on another class. The justice of a tax consisted in its being equalised in proportion to the means each class had of paying it. Small incomes ought, therefore, to be taxed less in proportion than large ones, for those who enjoyed the latter only had their luxuries curtailed, while the former had his means of providing for the absolute wants of his family lessened. He contended, therefore, that the smaller incomes ought to be taxed at a lower rate if they wished to make this a just tax. It had been argued that this tax was first imposed to make up a deficiency, and partly to afford the means of making a great experiment, of which the trade and commerce of the country were to have the benefit. Well, the experiment had been tried, and was there any man, in the House or out of it, who had ever known the trade and commerce of England in such a state as it was now in? The experiment had broken down the industry of the country, destroyed not only the small capitalists and small tradesmen, but houses honoured for a century past; and merchant princes, whose extensive and equitable transactions were the pride of England, ruined—the strength of the nation, the middle classes, ruined—and the country involved in difficulties of which no one could see the termination. But they were told to-night that the experiment was not yet carried out; and the renewal of this odious impost was again urged, partly to meet a deficiency, and partly to complete the experiment. He warned the House against pursuing this disastrous path any further. He felt certain that hon. Members were not acquainted with the feeling of the country with respect to this tax. It was one of the most unpopular measures that had ever been proposed in Parliament; and it was for that cause that he so strenuously opposed it, as he believed that nothing was more dangerous than to ground a financial system on a plan which was perfectly hateful to the great mass of the community. He was not one of those who were careless of shaking the credit of the country; but again he asked the question, what possible objection could there be to taking it only for twelve months? That would at least show the country that the Government were not satisfied with the tax; and, if at the end of twelve months they could make out a case for its renewal, they would find the House of Commons quite as ready as now to support the credit of the country, and far more ready, after so convincing a proof of the Government being driven to it by mere necessity, again to vote for its imposition. If the Government wished to remove any of the odium now resting on the tax, and to make it well received, they ought now only to re-enact it for one year. "Grant it again for three years, as you have twice done before," said the right hon. Gentleman opposite, "and there is reason to hope that the revenue will come round in that period, and we shall be able to meet the difficulties of our situation." And to what did the right hon. Gentleman attribute those difficulties? One cause most particularly mentioned and dwelt upon was the bad harvest of last year; as if the effect of one bad harvest could alter the state of the revenue for three years. He admitted that the bad harvest had increased the embarrassments of the country and the difficulties of collecting the tax; but a bad harvest was not a permanent evil, and why should a permanent tax be adopted to meet it? for he must contend that if it were again imposed for three years it would at once have the character of permanence. He hoped Her Majesty's Government would see that they would lose nothing by taking it for twelve months only; and if at the expiration of that time they did not want it, then, of course, they would be too happy to come down to the House and say so. These were the reasons which induced him to support the Motion of the hon. Member for Montrose; these were the views which compelled him to appeal to the House well to consider the proposition now before it. By granting the tax again for three years they would create the evil of discontent, and make the nation believe that a tax so unequal and unjust was intended to be permanent; and thereby do more to shake the confidence and credit of the country than they could by a grant only of one year, with the announcement of an intention to curtail the expenditure. In that case he would promise that, while he would support the Government in maintaining such establishments as were necessary for the safety of the country, he would assist the hon. Member for Montrose in curtailing the expenditure as far as possible. Having mentioned several points on which he thought a saving might be effected, particularly as to the appointment of commissions, often utterly useless, and always exceedingly expensive, the hon. Gentleman proceeded to show where he thought the first step towards prosperity ought to be taken, namely, by removing the causes of the evils under which the country was suffering. He believed the great experiment of free trade was as wrong in principle as it had been and would be found bad in practice. He believed that the true and healthful way in which taxation ought to be conducted was by laying customs duties on foreign articles. It would, he believed, except in a few particular cases, be invariably found that the amount was paid by the foreigner and not by the consumer. But free trade had turned the balance of trade against this country. The results of a bad harvest had drawn the gold out of the country, which, aggravated by the great imports of the preceding year, had turned the balance of trade against us. He would, however, go still further back than the experiment of 1845. He knew he should differ very widely from a large majority of that House, including some hon. Gentlemen in whom he had once placed great confidence, and for whom he now entertained great respect, and from whom he would not have differed without giving long and patient consideration to the subject and a thorough investigation of the whole matter, and to whose opinions he would most willingly have yielded if he could have done so conscientiously. But he believed firmly that a great portion of the evils from which the nation now was suffering was occasioned by a great error in the monetary system of the country. They might try every experiment they pleased; but until they grappled with that vital subject they would never come to the foundation of the evil, or administer any relief except of a fleeting and delusive character. He would ask, how was it that in time of war, with her commerce restricted and pressed with all the regulations which Bonaparte could impose, and when her large expenditure was wasted in foreign countries and made no return whatever, Great Britain could raise 120,000,000*l.* in one year? They had then a heavy property-tax, but there were then no complaints of the poverty of the country. Now, it was to the restrictions of the Bill of 1819, and the still further restrictions of the Bill of 1844, that all our present distress was owing. He was not one of those who looked upon history as an old almanack which taught nothing. On the contrary, he thought it the very reverse, and looked to it for the soundest lessons of practical wisdom; and therefore it was that he referred to past experience. He might be told that in 1812, when the monetary system was what he (Mr. Spooner) wished it, there was great distress. He admitted that there was distress, though he denied that the monetary system was exactly what he should wish it. It was, however, far sounder than now; and the distress which then arose was the consequence of the discussion which had taken place in the Sessions of 1810 and 1811, and fears were excited that an alteration would be made. When that agitation had subsided, and confidence was re-established, prosperity returned. It was, therefore, no answer to say that a panic existed before the Bill of 1819 was passed, as he could show the cause of that panic. But in 1821 and 1822 there was dreadful distress, which was confessedly the result of the Bill of 1819. Lord Castlereagh, in consequence, brought in several measures, all of which had for their object the suspension, more or less, of the practical operation of the Bill of 1819; and while that Bill was thus practically suspended, prosperity was restored. He did not approve of the way in which that had been done. It would have been far better to have permanently abandoned that which had thus proved baneful. Then followed the memorable year of 1825, the end of which was a season of the most gigantic calamity. In July, 1825, however, Mr. Robinson, the then Chancellor of the Exchequer, asserted that the prosperity then experienced was not evanescent; it was founded upon a rock—it was sure and certain. Before the close of that year the nation was in a state of bankruptcy; and in 1826, the same hon. Gentleman had to come down again to that House, and lament that his rock had melted, and that his prosperity was gone. He sought for something on which to lay the blame; and on what scapegoat did the House imagine he laid this great calamity? On the imprudent speculation of the banking interest. However, as Mr. Robinson was mistaken in his predictions of immovable prosperity in 1825, he (Mr. Spooner) thought it very probable he was equally mistaken in 1826, when he attributed the failure of that prophecy to over-speculation of the bankers. Both the prophecy and the explanation, in his opinion, exhibited a lamentable spectacle of ignorance. He, however, belonged to a school which had been greatly misrepresented. He was not for a paper currency without a basis, or for one which was not convertible. But he did say that the point of convertibility now adopted was unjust. It was one which had not been maintained, and, he would venture to say, which never could be maintained. It was that which had caused all their fluctuations between prosperity and adversity; and it would continue so to operate until the subject was fairly met and grappled with, and until they ascertained what was the most just, the best, and the most practical point of convertibility. The present measure was wholly impracticable, because it was unjust. He thought, from the conversation which he had with a great many Members of that House, that they were under the mistaken impression that the standard of 1819 was the old standard of Queen Elizabeth, and had an identity with that of 1797, when Mr. Pitt suspended the payment of gold. When he stated that it was far more stringent than in 1797, he did so without fear of contradiction, as, when he had made that statement before a Committee of the House of Lords, and was then contradicted by an eminent individual, the Acts of Parliament were procured, and he had the honour of convincing that eminent individual that he had been perfectly correct in stating that in 1797 our standard of value was a joint stardard of gold and silver without limit as to weight. Indeed, Mr. Vansittart, soon afterwards Chancellor of the Exchequer, and now Lord Bexley, said, and said truly, that in 1797 the principal and interest of the national debt might have been paid in sixpences and shillings. How different was the state of things during the late panic, when cases were known in which merchants who had enough, in silver bullion and silver coin of other countries, to meet their responsibilities, were unable to avail themselves of that metal by the absurd restrictions of the Bill of 1844. Those who held the same opinions with himself were accused of wishing to defraud the public creditor. Nothing could be more unfounded. Upon what principle did the Committee of 1819 recommend the adoption of the present standard of value? First, that it was the ancient standard of the country; the fallacy of this he (Mr. Spooner) had clearly demonstrated. Secondly, that the adoption of that standard would alter the then existing value of property not more than four per cent. Did they think it just, then, to continue the new standard, when it was admitted by every one that instead of four per cent, it altered the value more than thirty per cent; "and if the injustice thus inflicted be admitted—if you say it is done, it cannot be undone—I tell you, you are guilty of as great a mistake in so saying as you were in making the alteration. The Act of 1819 never has been carried out. Your attempts to carry it out have led to the repeated derangements of your taxation. You never dare fully to carry it out. You have frequently tried, but the moment you came to any state that approached its point of realisation, you have been obliged at once to consent to the suspension of your money law." The hon. Gentleman quoted Mr. Ricardo on the subject of the standard of value, as represented by gold, and the effects on the exchanges produced by the variations in its commercial value—variations to which it was not subjected under the regulations in existence prior to the Bill of 1819; but Mr. Ricardo, a very great authority, had lived to alter his opinions in favour of a less restricted currency. Believing that the tax might be necessary for the present exigencies, he was willing to accede to its renewal for one year more. Bad as it was—odious as it was to the people, and harsh and unequal as it was in its operation—he was willing to agree to it for another year; but if the Government insisted upon continuing it for three years in an unmodified form, and with all its imperfections and injustice, he should deem it his duty to give it his most determined oposition.

Captain TOWNSHEND said: Sir, I can assure the House that it is far from my intention upon the first occasion that offers of intruding upon its attention, to involve myself in the labyrinth of a currency question. If, however, in the course of the observations I am about to make, I shall be fortunate enough to say a few sterling words, I trust the House will grant me the indulgence which much, as a new and inexperienced Member, I stand in need of. It gave me much satisfaction to learn that Her Majesty's Government had relinquished that part of the budget which went to impose an additional two per cent on income. It would have given me more satisfaction had such a proposition never emanated from Her Majesty's Government at all; for of all taxes that have ever been imposed, I think this to be the most odious and the least palatable to the people of this country. I think Her Majesty's Ministers deserve much credit for yielding as they have done to the feeling so unequivocally expressed in this respect, and not driving their best friends and supporters —of whom I profess myself to be one— to the painful necessity of voting against them; but, Sir, I confess I cannot be surprised that this or any other Government should endeavour to recruit the finances by an expedient which was received with so much lukewarmness and indifference by the country when it was first proposed in 1842 by my right hon. Colleague the Member for Tamworth. Many hon. Gentlemen in this House then considered it a fair and proper tax. The right hon. Baronet was then in the plenitude of his power, and his word was law. I never did think it a good or a just tax, and was one of the loudest declaimers against it. I am still of the same opinion; but although it certainly was imposed on the understanding that it was to last only three years, yet it was reimposed at the end of that period for another three years, still without any manifestations of popular discontent or dissatisfaction — without any public meetings being convened against its injustice. Then, I say, that the people deserve to have it saddled on them now, in a time of great pressure and difficulty, for another three years; and I shall—though as strongly opposed to it as any Member in this House, or any man out of it—vote for the measure. I repeat, Sir, that the apathy and stupidity of the people have brought it on themselves, and they deserve to pay the penalty of their folly. Many hon. Members have made great complaints about the existing strength of the naval and military forces, the great preparations we are making in our national defences, as well as the warlike speech with which the noble Lord at the head of the Government introduced these measures. I cannot say, much as I desire to see these things reduced to the smallest scale, that, in the present critical state of Europe, they are one iota too much; and I must say, as far as I am able to judge, a more temperate, pacific speech, more full of kind feeling and respect for a great nation like the French, than that of the noble Lord, could not be possibly delivered. The hon. Member for Montrose has, I admit, in the course of his long experience in this House, effected many useful reforms, caused much retrenchment at various times, and done an infinity of good for the public, which I am sure they duly appreciate; but his zeal for the public service is apt to carry him too far. There is no one who regards a standing army with more dislike than I do—but what is meant by a standing army? Have you more soldiers than are sufficient to protect your garrisons and colonies? I can understand the hon. Member, if he says we can do without them — that Gibraltar is of no earthly use, and that you can't prevent ships from passing through the Gut—that Malta is only a receptacle for our "demoralised" ships—that the Cape of Good Hope is an incumbrance, as well as all our other numerous and distant possessions; but as long as we do hold them, they must be held by military power of some description or other. Are we never to expect disturbances in any of our manufacturing or other great towns? Is free trade trade to keep down all disquiet, and be a panacea against all agitation? Can you spare one single soldier from Ireland, when there are demagogues agitating the country, sowing the seeds of discontent, and wringing the last penny from an impoverished and famishing people? I say it is impossible at present to make any reduction in our Army, and still less in the Navy. We may put the most perfect reliance on the good faith and feeling of our neighbours, and still it is our duty to be prepared against any emergency. This country has more than once offered to reduce its naval strength, if France would do the same. She has refused; and is it reasonable—would it be proper—for us to place ourselves below the level of France in this respect? No Government would dare to be so rash—so insane. The French people need be under no fear of an invasion on our part, if we had treble the naval force they have in commission. Ships alone can do nothing of the kind. There must be an army to transport, and that we have not. The case is different with them. They have an immense standing army and a disposable fleet at all times ready for war; and though I think nothing in the world is more improbable than an invasion of this country, still it must be borne in mind the thing is within the bounds of possibility. I trust, Sir, that no consideration of economy will ever induce any Government to reduce the Navy below the wants of the country. It should never be forgotten the risk we ran in 1840 of suffering a very serious national calamity for want of due precaution. Immediately preceding the commencement of hostilities against Syria by our fleet under that able and excellent officer, the late Sir Robert Stopford, we were on the eve of a war with France, and had that event occurred, I have no hesitation in saying, our fleet would have fallen into the hands of the French; they would have been cut off in detail—would have fallen ingloriously, and without the possibility of making any effectual resistance, in consequence of their having been dispersed either separately or at most two together, while the French had kept their fleet together *en masse*. I mention this fact, to show how guarded we ought to be at all times. Why, Sir, the two fleets had been in company together for months, interchanging all the courtesies and civilities of social life, and the very best understanding subsisting between the officers and men. For my own part I can only say that, having been left behind in company with the French fleet at the Dardanelles, when Sir Robert Stopford went to Smyrna, and being confined for a considerable time to my cabin by illness, I received the greatest kindness—the most marked attention—from the late Admiral Solande and his flag captain, now Admiral Bruat, such as I cannot easily forget. But I know, notwithstanding all this, they would have been ready to go to war with us to-morrow, as a gallant and fighting people like themselves will always do. Sir, the hon. Member for Manchester (Mr. Bright) is another strenuous advocate for the reduction of our naval and military forces. No doubt he is actuated by the purest motives of peace and good will; but I should like to know what the hon. Gentleman's sentiments would be in the event of a war? With his present feelings I should not be the least surprised to see the hon. Member rising from his seat, and gravely proposing to the House that we should put our ships on the peace establishment, and instead of the heavy 68's and 32's at present mounted, to put "Quakers" or sham guns in their stead. Then comes the hon. Member for the West Riding. He has also expressed himself very strongly on this subject, and as I think most unfairly and unjustifiably with respect to the Navy. The hon. Member made use of the following words at a dinner given at Manchester on the 29th of January last:—

> "It so happens I have picked up a few secrets abroad, having travelled by water as well as by land; and I venture to say, there is not more idleness or demoralisation in any part of the world than in our ships of war. Occasionally they make a great show, but they do not go to the Baltic or Hamburgh, where there is trade; no—the weather is too rough there, and there are no attractions on shore."

Now, Sir, I do not hesitate to say, a greater injustice was never done the Navy—a greater libel never was uttered. I find no fault with the hon. Member for expressing his opinion as to the policy of our ships remaining at any length of time in port. He has a perfect right to his own opinion, and it will be taken for as much or as little as it is worth; though I think, in the present disturbed state of almost every country in the Mediterranean, it is no great matter of surprise that our ships should be kept together ready for a start. What I do complain of, is the gratuitous and unmerited slur he has cast on the Navy. I should like to ask the hon. Member if he has ever been on board one of these demoralised ships; if he ever saw the interior economy of a man of war? I should have thought a man of his acute observation had no need of the opinion of any American Consul as to the state of our men of war. I should not be afraid to test the comparative merits of our ships as to cleanliness, comfort, or efficiency with any American ship that ever floated. I mean no disparagement to the American service; but our ships are not what they were years back, when we were at war with that country, and no attention was paid to gunnery, and when everything essential was sacrificed for mere show. Should the two countries ever be at war again, which God forbid! I think, instead of the slackness the American Consul complains of, there would be pretty tight work. Has the hon. Member ever seen any of our men beat to quarters and fire at a mark? Why, Sir, if the mark was no bigger than the stick of the hon. Member for Birmingham (Mr. Muntz), he would have seen it cut away before that hon. Member had time to take off his beard. Really, Sir, to hear the hon. Member assert that our ships were afraid of going to sea, because the weather was rough—I should be afraid to make the remark to a Thames yacht-man unless I wished to affront him—afraid to go to sea because it was rough; no, Sir, rough or smooth, blow high or blow low, our ships go when and where they are ordered, and do the service they are ordered on, whether that be to engage the ships or batteries of the enemy, or to run the equal or greater risk of cruising off a dangerous and pestilential coast. Sir, the Navy has ever done its duty, and will, I trust, continue to do so, in despite the unworthy and unfounded aspersions of the hon. Member, which I will venture to say are not shared either by this House or the country. If the hon. Member thinks to raise himself to popularity with a certain class of which he is the reputed oracle, by decrying the naval service, he will find himself much mistaken. I hope he will have the decency to acknowledge his error. I have only to observe in conclusion, that I trust my warmth has not carried me too far in my expressions; and I shall merely state my determination to support the Government in their proposal for a continuation of the income-tax for three years longer.

Mr. G. J. TURNER had no objection to the general proposition of an income-tax; on the contrary, if equitably imposed, it would receive his cordial support. But the masses of the community had heavy burdens imposed on them which they paid in the shape of excise duties; and he considered that in the payment of those duties they bore their fair share of the taxation of the country, and that the extra burden ought to fall upon those classes which received from the State the greater amount of protection. The working classes received from the State the protection of their persons—the wealthier, of their persons and their property. He felt the more anxious that the House should maintain the principle of an income-tax when he remembered that its Members held their seats by virtue of a property qualification, and, sitting there by means of such a qualification, those who sent them to the House expected that if additional burdens became necessary, they should see that they were justly and equitably thrown upon the shoulders that were able to bear them. He heartily concurred in the principle of the income-tax, and would have given his vote in favour of the proposition of the Government, if he could have brought his mind to think that the income-tax, as at present proposed, was justly and properly assessed. It had been said, that the estimates were large, but they were not larger than the exigencies of the country required; on this subject he was inclined to trust the Government. Who could be so well informed as to the relations of this country, with foreign Powers, and the relations of foreign Powers among themselves, as the Government? When the budget was originally proposed, he felt that the noble Lord might be acquainted with circumstances which could not be known to the Members of the House generally, and which it would be his duty not to communicate to the House; he had, therefore, at that time been of opinion, that with regard to the amount of the estimates he should, in a great measure, confide in the wisdom of Her Majesty's Government; and subsequent events had not led him to change his opinion. He was not inclined to repose blind confidence in any Government; but he called upon those who cavilled at the estimates, to remember that the Government might be acquainted with circumstances which were necessarily unknown to them, and he thought that the hon. Gentlemen who were opposed to the estimates, if they did not place confidence in the Government, ought at once to pursue a manly course, and propose a vote of want of confidence. He could not understand how hon. Gentlemen could give their support to the Government, and yet withhold their confidence from them. He would appeal to those hon. Gentlemen who opposed the estimates; he would appeal to the humblest taxpayer in the kingdom, and would ask him if he wished to see the nation in such a position as to force her to appeal to the mercy of any other nation? What they had to consider, therefore, was, what was to be done under existing circumstances, not what had produced the existing state of circumstances. One hon. Gentleman had stated that he would trust the Navy, but he objected to any augmentation of the Army. No one could put greater confidence in the Navy than did he (Mr. Turner); no one could entertain a greater objection to a large standing Army than he did, if the Army were kept up for purposes of aggression; but he had no objection to an Army sufficiently strong to defend the country and the colonial empire—therefore he had no intention of opposing the Government on the ground either that the income-tax was wrong in principle, or that the estimates were too large. He regretted, however, to be obliged to make the declaration that he could not give Her Majesty's Government his support on the present occasion. After mature consideration of the subject, he felt unable to bring his mind to any other conclusion than that the income-tax, as it at present stood, was not justly and equitably assessed. What were the sources of income? They might be divided into three classes: first, incomes derived from realised property; secondly, incomes derived from trade; thirdly, incomes derived from professions. First, as to incomes derived from realised property. That income was derived wholly from capital, and was totally unconnected with any labour on the part of the individual who received it. Income derived from trade was the result not of the investment of capital alone; it was the combined effort of the labour of the individual, and of the investment of his capital. Professional incomes were derived solely from labour. Now, he would ask the House if it were a just principle of taxation that incomes derived from labour wholly, or in part, should be subjected to the same burdens as incomes derived solely from realised property? It was one of the first principles of taxation not to tax industry, not to tax labour, not to tax trade. Now, the income-tax did tax labour, did tax industry, did tax trade. A tax on incomes derived from professions was a tax on labour, and on labour alone. He did not mean to contend that it was just that incomes derived from trades or from professions should be exempted from their just share of taxation; but he would contend that it was not just that these two classes of income should be subjected to the same rate of taxation as income derived from invested property. Suppose the case of a person deriving an income of 10,000*l.* a year from landed property. He paid a tax of 3 per cent on his income, and after the payment of the tax the property producing that income passed untouched to his posterity; but the man who derived 10,000*l.* a year from a trade or a profession paid the same amount of tax, and what remained to his family was only the amount he had earned after deducting the tax, and his income died with him. The professional man was in truth called upon to work ten days in every year for the benefit of the nation, for the tax took from him the proceeds of ten days' labour, and after having so worked, he was in no better condition than the man deriving a similar income from invested property, who had not worked at all for the benefit of the nation. He therefore contended that the tax did not press equally on the different classes on whom it was assessed. It had been contended, that if this tax were not thus levied on incomes derived from trade or professions, the Government would be guilty of a breach of faith with the public creditor. He would not willingly be guilty of a breach of faith; but he did not think he was guilty of any breach of faith with the public creditor in opposing a system of taxation which pressed unjustly upon incomes derived from labour. If the tax were so modified as not to press unfairly upon incomes derived from labour, if it could be so modified as to be levied upon just and equitable principles, he would not oppose it. But it had been said, that it was impossible to equalise this tax. He admitted that it would be so if they applied only one principle to the assessment of this tax; but he contended, that in the assessment of it upon incomes derived from different sources, they should adopt different principles. Take, for instance, the case of a person deriving an income from a Long Annuity, or from a leasehold property. The whole of his annual receipts could not fairly be considered as income: one portion was income, and another portion was a return of the capital invested; so that by imposing the income-tax upon incomes derived from annuities, or from leasehold properties, at the same rate as they imposed it upon incomes derived from real property, they were, in fact, taxing, not income only, but capital likewise. Why did they not calculate the value of the life income as property, and assess the tax in this manner upon the just value of the life income? This was done every day in the case of the legacy duty, where the duty was assessed upon life-annuities left to individuals. Why could not the same principle be applied to the income-tax; and as to incomes derived from trades and professions, an allowance might be made for life-insurance, and such incomes be thus put on the footing of property, or at all events a reasonable allowance should be made for labour. He did not desire to see the revenue diminished; but he thought the deficiency which would arise from the fair adjustment of the tax should be supplied by throwing a greater burden on the larger incomes. He could not see on what principle it was that those who received a larger amount of income should not pay a larger amount of tax. He could not see why some graduated scale should not be introduced into the assessment of the income-tax. He knew the danger he incurred by advocating this proposition. He knew that a very high authority (Mr. M'Culloch) considered the proposition so absurd that he had said that none but a savage could be found to advocate it. Now, he did not think Mr. Pitt was a savage; and when he first proposed the income-tax, it was precisely upon this principle. Again, in 1803, the same principle was adopted, although it was true that subsequently that principle had not been carried out. He knew that the objection commonly urged against this principle was, that if it were carried out to an unlimited extent, it would eventually exhaust the capital on which it was proposed to levy it. He did not propose to carry out the principle to that extent; for he thought that it was not reasonable that any person should pay more than a certain proportion of his income towards the burdens of the State; but let the maximum be fixed, and let there be a graduation below that maximum; and if they adopted that principle, the rates of payment would be low upon small incomes, and would increase as the incomes increased. He thought that a graduated income-tax would amply supply the deficiency of revenue of which the Chancellor of the Exchequer complained. He thought the noble Lord had exercised a wise discretion in exempting Ireland from the burden of this tax. The new poor-law had been recently introduced into that country, and it was desirable that no further burdens should be imposed upon Ireland for the present. But if the noble Lord refused to impose the income-tax upon Ireland at present, because the population of the kingdom was suffering from a crisis, he would ask why it should be imposed upon the tradesmen of this country, who were suffering from a similar crisis? The same principle which induced the Government to exempt Ireland from this burden, ought to induce them to relieve the trades and professions of this country from it also. After mature and anxious deliberation on the subject, he had found himself unwillingly compelled to withhold his support from Her Majesty's Government on this question, and to give his vote in favour of the proposition of the hon. Member for Montrose.

Sir W. CLAY said, the speech of his hon. Friend the Member for Montrose would have been better made on the Friday. He concurred in much that the hon. Member had stated, and he agreed with him that there was a great inequality in the income-tax; but the House had declared against both their views on the subject. The question was now, whether the tax should be voted for one year or for three years; and to that he should confine himself. The expenditure for the ensuing year was stated by the noble Lord to be 54,565,900*l.*, and on the same high authority the income was stated to be 51,000,000*l.*, leaving a deficiency of about 3,500,000*l.* Of that, 1,345,000*l.* was considered a temporary deficiency, and the estimated deficiency, therefore, was about 2,500,000*l.* Supposing the income of the ensuing year to be equal to the last, the deficiency, deducting the expenses of the Caffre war, might be set down at 2,000,000*l.* Her Majesty's Ministers proposed that the income-tax should be taken for a period of three years; but the hon. Member for Montrose proposed to limit it to one year. If, however, that proposition were adopted, the deficiency of 1849 would be from 7,000,000*l.* to 8,000,000*l.* It had been shown that the estimates were so framed as not to admit of much reduction, and that there was only a margin of 15,000,000*l.* upon which to operate any reduction. The House was not justified, therefore, in exciting, on the part of the people of this country, expectations that they could not fulfil; they were not justified in keeping up an agitation on the subject which there was no prospect of allaying; and nothing could excuse them from proceeding to deal lightly with 7,000,000*l.* or 8,000,000*l.* of revenue, unless there was the strongest impression that within less than ten months they could make up the deficiency. How then was that deficiency to be supplied? Was it by other direct taxes? or was it by the reimposition of those duties that had been recently repealed upon articles of consumption? He could not consent to the reimposition of the latter taxes, nor would the public. He had voted against the income-tax in 1842 and 1845; but he could not do so under existing circumstances. Was it proposed to have a great fiscal reform, involving the question of direct taxation? He doubted if any Government would be found bold enough to extend the principle of direct taxation further than it was carried at present. The events of the last fortnight showed that in time of peace no Government could depend on it; and, in his opinion, the Government had gone as far as they could go in the line of direct taxation. There were many objections to direct taxation; but in his opinion the moral, social, and political objection to it had been overlooked. These were more than an equipoise for the advantages of direct taxation; for there was always the intervention of that element which made taxation most odious—namely, the application of the tax-gatherer. However great, therefore, the economical advantages of direct over indirect taxation, that element would always make it impossible to proceed further with the principle than hitherto. There was another reason also why indirect taxation was preferred to direct taxation; it was this—every man was the arbiter of his own consumption to a certain degree. Indirect taxation limited the enjoyment of the people, but direct taxation limited their economy. Nothing was so injurious in a national point of view as a diminution of individual economy. It was the only means by which national capital was created, and by which all great works were produced. Direct taxation limited the power of accumulation, and therefore interfered with these effects. It was clear, therefore, that the deficiency of the revenue could not be remedied by the reimposition of the repealed taxes, nor by the extension of direct taxation in time of peace. Believing, however, that it would be unwise to contract engagements with the public creditor which there was not the full power of meeting in the hands of the Government, he could not vote for the Motion of the hon. Member. The honest course to pursue was, to endure the tax for the period proposed, and to endeavour to find in that period either a substitute for it, or to make such reductions as he was disposed to give the Government credit for intending to effect in the expenditure of the country. There were certain expenses which would not be needed in another year—dockyards, for instance, and other works; and he believed that by economy on the one hand, and well-considered reduction on the other, the income and the expenditure of the country would be equalised.

Mr. ROBINSON believed there was every disposition on the part of the House to keep faith with the national creditor, as well as to enable the Government to carry on the business of the country in a satisfactory manner; but they naturally required that clear evidence should be laid before them that the estimates did not exceed the exigencies of the public service. They also required that the pressure of taxation should be equalised as much as possible. He adopted in this respect the axiom of Adam Smith, so frequently used in another sense—namely, that every person living under the protection of a State should contribute to the support of the Government of that State according to his means. The inequality of the income-tax had, however, been generally admitted by all parties, and by none more than by the Chancellor of the Exchequer himself. Yet the House was called upon to vote for its continuance without any attempt at amendment. The Chancellor of the Exchequer objected to continuing the tax for one year only, as it was impossible to suppose that the revenue would improve sufficiently in that period. But he should vote for the continuance of the income-tax for one year, because he believed that this course would compel the Ministry to bring the whole question, at the expiration of that year, before the House. If the three years were conceded, there was no security that the term would not be further extended; but if one year only were sanctioned, it would then be obligatory on the Government to consider the question of taxation in all its bearings before they could hope to get a renewal. With respect to our fiscal affairs, they were in an anomalous state, and required to be carefully reviewed and reformed. He would implore those who advocated the term of three years to press on the Government the necessity of looking at our financial system. There was no want of means to maintain credit or national establishments, nor was there any want of disposition to advance those means if the necessity were shown to be indispensable; but then, the people asked, and asked with reason, that our establishments and expenses should first be reduced to the lowest scale consistent with their public efficiency, and that the public burdens should be equalised as much as possible.

Mr. LABOUCHERE would confine himself as closely as possible to the question, and would not wander, like some hon. Gentlemen, into various topics, which at best had but a remote connexion with the immediate subject under discussion. The questions which the House had to decide by their vote were—first, whether they would sanction, under the present circumstances of the country, the renewal of the income-tax; and, next, the question raised by the hon. Member for Montrose, whether the renewal of the tax should be for the term of three years as proposed by Government, or one year, as proposed by the hon. Member. As to the question of the renewal of the income-tax at all, he would not go into that question, for he had seen on the present as well as on other occasions, even from those who had in the first instance opposed the tax, that under existing circumstances it was considered advisable the tax should be continued rather than that Government should resort to a new and untried system of taxation to make up the deficiency in the national finances. He was one who had originally opposed the income-tax, and at the present moment he was not more enamoured of the tax than he was at the time it was first suggested. He felt that an income-tax in a time of peace would, sooner or later, from its unpopularity, hazard the existence of our revenue at a period when the country, struggling to emerge from difficulty and embarrassment, had occasion to put forth all her undiminished financial resources. In 1845, when the renewal of the tax was proposed, his opinion was modified, for, on consideration of all circumstances, he felt there would be less difficulty in continuing the tax, than in imposing other taxes to meet anticipated deficiency. He found at the same time there was a greater general acquiescence on the part of the people of this country in this tax than he expected. He found the reductions of the late Ministry were greatly approved of; and he voted with the late Government when the question of remitting the tax was put, because he conceived it would be the best means of carrying out and supporting the system of commercial reform which had been entered upon. On those grounds he and others withdrew their opposition, and supported the right hon. Baronet then at the head of the Ministry. But if this course was proper in 1845, it was still more incumbent on him to pursue it now. It had been said, in reference to the policy of the remission of duties which had taken place, that it had been attended with disappointment. It was said that we were in a state of general commercial depression, and that this circumstance, without connecting it with the reduction of duties, was sufficient to show the mistakes of free trade. Now, he did not agree in this view of the case. If the springs of industry had not been relieved by the remission of duties, the country would have been in a far worse condition than it was at present. He heartily rejoiced that the calamities which had befallen this country had found the country engaged in measures of commercial reform; because it was this circumstance that enabled us to supply those extraordinary losses and deficiencies which sudden calamity had occasioned. He should consider it a misfortune of no ordinary kind' if, under the present circumstances of the country, the House should agree with the hon. Member for Montrose, and refuse to put the finances of the kingdom on that safe and secure foundation which the income-tax for three years longer alone could place them. His impression was, that the great point was to increase the income-tax to such a degree as to enable the Government to provide for the wants of the year within the year. Any other determination was calculated, especially in the commercial classes of the community, to excite feelings of apprehension and alarm; and he said that if that should be followed up by an expression of opinion of the House that they would be satisfied, without requiring the Government to bring forward new taxes as a substitute for the income-tax, so to leave the finances of the country, that not only within the year we should not be able to meet the deficiencies, but that even on an average of years we should not have placed the finances in such a situation that we could fairly say there was a probable hope and expectation we had taken measures to make the income equal to the expenditure, consternation would, he believed, ensue. In his opinion there was no more false economy could be pursued than to take steps which would have the effect of shaking the credit of the country; and, therefore, if the House agreed to the Motion of the hon. Gentleman, little as they might desire it, this result would follow—that the effect of their vote would be to shake the confidence of commercial men at home, and the credit of the country abroad. It was of the greatest importance to support the confidence and the credit of the country at this moment—he heartily desired peace, and he should have no fears for its continuance so long as they remained undisturbed; but he could not look abroad and notice what was passing without seeing the necessity for union; and, being awake to the misfortune of having even the semblance of disunion on this subject, while the House might fairly insist on the most rigid economy being practised, and that the expenditure should be cut down to the lowest possible scale, he hoped at the same time they would see that it was necessary to support the character and credit of the country. The hon. Member for Worcester had given a peculiar reason why he should vote for the continuation of the tax for one year rather than three years—that this was the only way of obtaining a revision of our system of taxation. It was, however, easy to use such an argument. No doubt it was necessary to have our system of taxation reviewed; we had already some portion of our system revised — the alteration in the customs duties, for instance, had been of advantage to the Customs; other portions of our fiscal system would be reviewed in due time. The Chancellor of the Exchequer had already intimated that he was engaged in considering the stamp and excise duties. Let the system of taxation by all means be considered, and considered calmly, and at the proper opportunity. But to throw the whole system of our finances into confusion for the chances of a revison of taxation, on new principles which few or none understood, would be, under present circumstances, little short of a criminal act of indiscretion. The hon. Gentleman had stated his opinion as to what he termed the prostrate condition and fallen fortunes of the country. He (Mr. Labouchere) did not deny that we had laboured under great calamities, and that all classes suffered in consequence. It was impossible that such a year of commercial embarrassment and loss should pass over without leaving traces of devastation behind. But then there was nothing in the present state of the country, in his opinion, which ought to inspire despondency or despair. He was satisfied we required but union and political tranquillity at home for the country again to spring forward in the race of prosperity, and for all traces of recent calamity to pass away like clouds. The hon. Gentleman had compared the condition of the country for the last year only with the preceding period; but in order to arrive at the truth it was necessary to take a wider grasp of the subject, and to see the spring which the country made in wealth and prosperity during the last twenty years. He had obtained from the Board of Trade an estimate of the produce of the income-tax, and the property which it represented in 1815, and this he had compared with the latest return he could obtain — namely, the amount of the property and income-tax, and the property it represented in the years 1842 and 1843. It was astonishing to see how greatly the resources and wealth of the country had increased during the interval. Before he read the return he would just notice that in 1815 the income-tax took in all incomes above 50*l.* In the latter period of 1842 all incomes below 150*l.* were excluded from the operation of the tax. In addition to these two circumstances, the House must recollect that a depreciated currency existed, whereas the reverse was the case in 1842; and then he had no doubt they would be surprised at the indications of increased wealth and prosperity which the result presented. Schedule A, as the House were aware, contained the amount of real property returned as liable to the income-tax. In 1814 and 1815, in round numbers, the amount was 60,000,000*l.* In 1842 and 1843 the amount of real property was 94,000,000*l.* In Schedule B, which represented the property of occupiers of land in 1814 and 1815, the amount was 38,000,000*l.* In 1842 and 1843 it was 43,000,000*l.* In Schedule C, which related to property in the public funds, there was a falling-off; but this sort of property afforded no indication of the prosperity of the country: the amount in 1815 was 31,000,000*l.*; in 1843 it was 27,000,000*l.* This falling-off was owing to various circumstances which it was not necessary more particularly to specify. The third and fourth return afforded the most remarkable instance of increase. It was under Schedule D that the profits on trades and professions were rated. In 1814 the amount was 35,886,000*l.* In 1842, 62,344,000*l.*; that was to say, in a period of little more than twenty-seven years the profits of trade in this country had very nearly doubled. The last schedule had reference to salaries, public and private. A diminution was here to be noticed. In 1815 it was 13,642,000*l.*; in 1842 it was 10,195,000*l.* The total amount assessed to the property-tax in 1815, including all incomes above 50*l.*, was 179,000,000*l.* In 1842, after excluding all incomes under 150*l.*, it had augmented to 240,000,000*l.* It was impossible to give a more convincing and striking proof of the steady increase which the country had made in financial and commercial greatness. It must also be recollected that during this period no less than 53,000,000*l.* of taxation had been repealed. The amount of additional taxation during the same period was 13,782,000*l.*, which left a balance of taxes repealed over taxes imposed since 1815 of 39,777,000*l.* He would not trouble the House at any great length on this subject, except again to state he should sincerely regret that the House came to any vote on the present occasion which would show an indisposition on their part to support the finances of the country on a secure and satisfactory basis. The House would recollect what his right hon. Friend the Chancellor of the Exchequer had stated, that two courses might be proposed. The first had been abandoned, and the other the Government still adhered to. This was a course in which the House was bound to support the present Government, or any other Government entrusted with the affairs of the country; for it was the only one by which the public income could be made at present to meet the expenditure of the county. No man ought to make a confident prediction with regard to the future income or expenditure of this country. He could only judge by things as they were at present. All he would say was, that the Government had endeavoured, in submitting this financial proposal to the House, to place upon the country as little as possible in the way of taxation as was consistent with their duty to the public faith and the efficient service of the country itself. He did not believe that the Government could safely propose, or the House safely adopt, the proposal of his hon. Friend; and, therefore, he hoped that the House would by a large majority that night show a determination to endeavour at all events, and at all hazards, to place the finances of the country on a safe footing.

MR. BERNAL OSBORNE said, that the right hon. Gentleman, in the speech which he had just made in favour of the renewal of the income-tax, had quoted from a paper before him, and stated the quantity of taxation which was levied under Schedule E in 1814, when the income-tax extended to all incomes of 50*l.* or upwards. He showed conclusively to the House that the tax brought 3,000,000*l.* less then than it did at present, when it extended only to incomes of 150*l.* and upwards; but the right hon. Gentleman had said so little in defence of the tax itself that he (Mr. Osborne) was tempted to remind the House of what the right hon. Gentleman had said in 1842. He found that upon that occasion the right hon. Gentleman had thus expressed himself:—

> "I have never met with any statesman, or any one experienced in political affairs, who did not declare that the imposition of such a tax was most objectionable, and, above all, should be avoided in time of peace."

And he went on to say—

> "Before I could be prevailed upon to adopt an income-tax, alien as it is to the feelings of the country, I must hazard every other scheme."

He begged to ask the right hon. Gentleman why he was not then prepared to "hazard every other scheme," and why he did not attempt to try one, when, on a late occasion, he gave his support to the hon. Member for Cockermouth, who proposed a modification of this tax? [Mr. LABOUCHERE: I beg to state that I never supported it.] That was not the question. The right hon. Gentleman was not, as he said, unwilling to see some modification of it. [Mr. LABOUCHERE: I did not vote for it. I was not even present.] The right hon. Gentleman did not vote for it, perhaps, but he did not vote against it; and therefore he might fairly draw the inference that he was not opposed to it. The whole question had been very clearly put forward by the hon. Member for Cockermouth, and summarily dismissed on the ground that a graduated scale like the one proposed could not be easily applied. It was true that it might not be possible to compute the amount to be derived from such a system with mathematical accuracy; but were they not to attempt to adopt some provision which should make the measure more palatable? A late Chancellor of the Exchequer got up and told them that all taxes were unequal in their operation; he would tell that right hon. Gentleman that it was the duty of the House and of the Government, if such were the case, to make a complete revision of all the taxation so as to make the pressure more equal. The hon. Gentleman had come forward in the shape of a handicapper to the tax; he says that the pressure on one point might be relieved by the absence of pressure somewhere else. On such a principle as that a racehorse could be handicapped until he became a mere donkey. The right hon. Gentleman the Chancellor of the Exchequer had adverted to Mr. Pitt. He seemed to forget, that when Mr. Pitt proposed an income-tax, the country was waging a war for its very existence. He had always understood, since he had been a Member of that House, that the income-tax was essentially a war tax; he had heard the right hon. Gentleman expressing that opinion, and denouncing the proposition of the right hon. Member for Tamworth, by the assertion that this tax ought expressly to be kept for the emergency of a war. The hon. Gentlemen who were now supporting the tax started upon that occasion, like the notes of a pianoforte, and denounced it as a war tax. In 1842, the right hon. Gentleman voted for the following resolution, which was moved by the noble Lord the Member for the city of London:—

> "Considering the various means which exist of supplying the present deficiency, it is the opinion of this House that the renewal of a tax, unconstitutional in its character and unequal in its pressure, and which has always been considered exclusively as a financial reserve for the nation in time of war, is not called for by public necessity, and is not, therefore desirable."

He (Mr. Osborne) would ask the House what was the nation to do in time of emergency if a tax which had always been exclusively reserved for time of war, were placed on in time of peace? Let the House take some review of the history of this tax. In the year 1798 Mr. Pitt proposed an income-tax, which, according to the quotations of the right hon. Member for Coventry, must, indeed, have been a perfect tax. Mr. Pitt's plan had had a graduated scale from 200*l.* to 60*l.* (and had they not a graduated scale if they exempted from the operation of the tax everybody whose income was under 150*l.*?) In 1802, at the Peace of Amiens, the tax was abolished; and in 1803 it was again imposed, and in 1806 it was increased. On that occasion Mr. Tierney said there was no instance of such a tax being imposed since the time of Henry VII., when it was known as Lord Mortimer's dilemma, that nobleman having argued that those who lived economically had something which might be taxed, and that those who lived extravagantly had something which might be taxed, and that, therefore, all parties should be taxed. In 1816, when the tax was denounced in the loudest terms as being unnecessary in time of peace, what did the House do? Although it was the strongest Government of which they had any instance, except that of the right hon. Member for Tamworth, the House decided that the tax should not be imposed in the time of peace. They had been told that the credit of the country was shaken; but the Government went on as usual, and even about that time contrived to give up part of the malt-tax, about which some outcry was raised. Before coming to any discussion on this question, the House should deliberate upon the system of direct or indirect taxation. On that point he had never heard any discussion since he had sat in that House. The tax was smuggled through the House at that time without affording the Members any opportunity of discussing the question of direct taxation. One of the most eloquent Members of the Government opposed the tax on the ground that it was a most dangerous inroad on the financial system of the country. He said it was a badge of slavery to submit to an income-tax, and warned the House that if the tax were imposed it would eventually lead to the application of the sponge. In imposing the income-tax, the right hon. Member for Tamworth had stated that every man whose income rendered him liable to its operation would gain the amount he was taxed out of the saving in the articles from which he had removed the duty. That at least was some removal of the annoyance of this unfair system. He would not then enter into any argument or discussion on the subject of direct or direct taxation; but he felt that if the tax in its present shape were imposed, it would give a decided blow to the principle of direct taxation. When they lumped terminable annuities with perpetual ones, could the system be called just? When they took a physician who was making 5,000*l.* per annum, and who could at most dispose of that at five years' purchase, and a man with a fee-simple property of that amount, which he could sell at twenty-five years' purchase, the effect produced on the public mind was certainly unfavourable to direct taxation; and any Gentleman in favour of the principle of direct taxation would, in voting for this plan in its present shape, take the means of all others most likely to make it unpopular. There was another question which the House was bound to consider. They were informed that the great cotton spinners were paying the wages of their operatives, not from their profits but from their capital: the whole commercial system had received a check, and, at a time like this, the Government asked for an increase of this tax to 5 per cent, and when that was peremptorily denied they asked for a continuance of the tax at 3 per cent. But they would find that the country was almost as strongly opposed to the present proposition. He found that the noble Lord the Member for the city of London expressed himself very strongly against the income-tax in 1842; and he (Mr. Osborne) would beg hon. Gentlemen to recollect that in that year the country was not in nearly so depressed a state as it was at present. In 1842, said the noble Lord (Lord J. Russell), the country was in a state of commercial embarrassment, and to pass an income-tax at such a period must naturally be extremely prejudicial to persons engaged in trade; and, said the noble Lord—

> "You cannot add embarrassment to individuals without adding embarrassment to the nation collectively."

Now, surely if that argument appeared good to the noble Lord in 1842, what right had he to come down to the House in 1848 and propose this tax? The hon. Member, for argument the other night, had brought forward an argument to meet the statement that this tax was unpopular throughout the country. He said that the fact of the labouring classes having made no objection to it, showed that in their opinion it did not press upon them. Now, he would ask the hon. Gentleman whether he said that seriously? Why, the labouring classes knew very well how heavily this tax pressed upon them—they knew very well that this tax caused masters to discharge their servants. And he had other authorities for saying that this tax pressed heavily upon the industrious classes. He found that the present Chancellor of the Exchequer expressed himself in 1842 to the following effect—

> "No one could fail to see that the effect of this income-tax would be to drive capital from this country, and, therefore, the argument of those who contended that the tax would not affect the working classes could not be maintained. For those reasons he felt it his duty to give this odious tax his most determined opposition."

Well, now he found another Member of the Government, the Secretary at War (Mr. Maule), who at that time spoke most strongly against the income-tax. He denounced the right hon. Gentleman (Sir R. Peel) in the most unmeasured terms: he said—

> "Let me warn the right hon. Baronet that this income-tax, if passed now, will produce a reaction which will be injurious not merely to the Government, but to the stability and peace of this country."

The noble Lord the Member for the city of London expressed himself to the same effect. And he found that the right hon. Gentleman the Member for Tamworth was also of the same opinion in 1833, for he said that he very much doubted whether a tax upon income would not injure the working classes, as it would most probably have the effect of diminishing the funds employed in the promotion and encouragement of industry. The Government would find that the working classes knew how their interests were affected by this tax. Why could not the Government move that this subject be referred to a Select Committee, by whom the tax could be fairly revised and readjusted? They referred the current estimates to Select Committees; but the country at large would be much better satisfied by their referring the whole system of taxation to a Select Committee, who would report thereon to the House. The right hon. Gentleman the Member for Taunton (Mr. Labouchere) had talked a great deal about the enormous wealth of this country, and in support of his arguments he quoted statistics, and compared 1814 with 1836. Well, it might be very true that we were increasing in wealth; but let any hon. Gentleman turn to the abstract which was moved for by the right hon. Gentleman the Member for Ripon, and compare what had taken place with reference to the estimates from 1828 to 1848. He found that, when the right hon. Baronet the Member for Ripon was in office—and he must say he did not think this country had ever been duly sensible of that right hon. Gentleman's merits and public services—he found that when he was in office the general estimates amounted to 14,620,487*l.*, whereas they had now swelled to 23,315,000*l.* Various plans had been recommended by the right hon. Gentlemen in office to remedy the present financial state of the country. He (Mr. Osborne) thought that it was high time for the country to insist that we should have a cheaper Government. It was high time to abolish that system of nepotism, whereby great offices were reserved, and given to the sons of the aristocracy of this country. Let the House consider that ridiculous exhibition which this country had to pay 1,500,000*l.* for every year—he meant the slave-trade squadron on the African coast, which was worse than useless. He was surprised that the hon. Member for Manchester had withdrawn his Motion with respect to legacy and probate duty, for he found that the noble Lord at the head of the Government in 1842 complained of the present state of the law in that respect. In that year the noble Lord said—

> "There is a proposition based upon sounder arguments, a tax which seems to be fairer, better, more just than an income-tax—I mean a tax upon the succession of property. If, on the ground of necessity, you must have an additional tax, I cannot see the reason why such a tax should not be adopted in preference to an income-tax.'"

Why, then, did not the noble Lord now come before the House in a similar spirit, and propose the imposition of legacy and probate duty? In 1845, the noble Lord advocated a modification and readjustment of this tax. He asked him, then, how we could now come down to the House and propose a tax which he and his followers denounced in 1842? He knew it had been said that this tax would be carried by a large majority; and in support of that statement a reason had been given which he, for one, could not believe. It had been said that the Irish Members would vote for the imposition of this tax. He should be exceedingly astonished if the Irish Members were so blind to their own interests—so blind to the consequences of their own votes—["Oh, oh!"]—as to vote for the imposition of this tax. He had heard a very symptomatic "Oh!" proceed from an hon. Gentleman who had evidently made up his mind to support the Government at all hazard; but he begged to remind that hon. Gentleman, as well as those Irish Members who intended to vote for this tax, that the great leader of Ireland, who was now no more, expressed a very strong opinion upon this tax. Mr. O'Connell's opinion about an income-tax was this:—

> "I shall not be considered as trespassing on the time of the House if I enter into debate on a matter so exclusively confined to England. I raise my humble voice, and will give my decided vote in favour of justice to England. I have arrived at the conclusion that in bringing forward an income-tax you are proposing what is unjust to the people of England; therefore I am bound to give to such a proposal all the opposition in my power."

But there was another living authority of almost equal weight; and what said he?—

> "Of all the imposts which it is possible for perverse ingenuity to devise, an income-tax is the most prejudicial to the interests, offensive to the feelings, abhorrent to the religious sentiments, and revolting to the moral sense of the English people."

That was the language of the right hon. Gentleman the Member for Dungarvon (Mr. Sheil). He fully participated in those sentiments. But there was also another reason why he thought Irish Members should be cautious as to their votes on this question. They must recollect that in the year 1842 the right hon. Baronet (Sir R. Peel) imposed an additional stamp duty upon Ireland, which was more than equivalent to the income-tax. He was well convinced that if the Irish Members supported this tax, their English brethren would very shortly, with a sort of retaliating spirit, vote in favour of the extension of the income-tax to Ireland.

Sir R. PEEL: Sir, I think it is impossible, in considering the question whether or no this income-tax shall be now continued for a limited time, to exclude altogether a consideration of the circumstances under which the tax was imposed in the year 1842, and renewed in the year 1845; and I feel it incumbent upon me, after the reflections which have been cast upon this tax and upon the motives and conduct of those who proposed it, to vindicate the Government by which it was proposed, and to vindicate at the same time that House of Commons which, by immense majorities in 1842 and 1845, consented to the original imposition and the continuance of the tax. This House of Commons, or at least that part of it which did not constitute a part of the last, must have a strange opinion of the conduct of their predecessors; they must be filled with surprise to hear that it was possible for a Minister to persuade the House of Commons improperly to consent to the tax. The hon. Gentleman who spoke last says that this tax was smuggled through the House of Commons. "Smuggled," indeed! "Smuggle" through the House an income-tax imposing at least 5,000,000*l.* a year upon the people of this country! Sir, I say if you, the House of Commons, are ashamed of your vote, rescind it; if events have occurred convincing you that that policy was wrong, alter your course; you are at perfect liberty to do so; it would be absurd, as I have said before, upon these matters of economical policy to exclude the experience you have had in the intervening time; but it is a gross reflection upon that House of Commons which sanctioned this tax to insinuate that it was "smuggled through the House;" and it is to cast an injurious imputation upon those who proposed it, that they concealed the real motive for their conduct, and had one object in view when they professed another. By overwhelming majorities in 1842 that tax was assented to. One hon. Gentleman, the Member for Finsbury, says that he was fascinated; one of the representatives of the people, a representative of a most popular constituency, makes the humiliating avowal that he permitted a tax imposing the payment of 5,000,000*l.* in time of peace upon the people of this country, not upon a grave deliberate consideration of the merits of that tax, but because he was fascinated by the manner of the Minister. Another hon. Member says the tax was "smuggled through the House." But why did you permit a tax of this kind to be smuggled through the

House? Sir, I will convince this House of Commons that there never was an imputation more ill-founded; that there were grave considerations of commercial and financial policy which induced your predecessors by great majorities to consent to that tax, rather than to impose indirect taxation, or even to continue it. I was appointed to office in 1841. Now, this I say, that as to anything appearing like an invidious contrast between the acts of the late Government and the present, or that which preceded the late Government, I utterly disclaim any such intention. One of my motives for giving a cordial support to the financial proposition of the present Government is, that I am fully sensible of the great difficulties with which they have had to contend. They have had to contend with calamities of rare occurrence, which have naturally, by their effect, disturbed both the commercial and financial policy of this country; but I must state the truth in vindication of the late House of Commons, and the majority by which the tax was supported. I will attempt to state it from memory, without troubling the House with a minute reference to figures. In 1841 the Government with which I was connected succeeded to power. There was a deficit in the revenue as compared to the expenditure. It was not an occasional and casual deficit. In 1838 there had been a deficit I think nearly to the amount of 1,800,000*l.*; in 1839 there was a deficit of not far from 500,000*l.*; in 1840 there was a deficit again of 1,500,000*l.*; in 1841 there was a deficit of 2,400,000*l.* My estimate was, that if no great financial effort were made, and if the estimates continued at the rate in 1843 which they had stood at in 1842, there would be a deficit in the revenue of that year—the year ending April 6, 1843—of not less than 2,600,000*l.* On that day there would have been a deficit, the accumulation of deficit of five successive years, of not less than 10,000,000*l.* That was the financial condition of the country. And what had taken place? When the House of Commons consented to a measure which could only be objected to on financial grounds—I mean the alteration of the Post-office duty—when they consented to make that financial experiment, and to incur the risk of immediate loss of, I think, nearly 1,200,000*l.*, the House of Commons of that day professed a determination to support the public credit, and declared that they would have no deficit. The right hon. Gentleman the then Chancellor of the Exchequer, in fulfilment of that pledge, proposed, I think, in 1840, that 5 per cent should be added to the then existing duties of Customs and Excise, and 10 per cent to the then rate of the assessed taxes. Now, what was the fact presented to me as the consequence of that measure? If I recollect right, the right hon. Gentleman estimated that the 5 per cent. upon the Customs and Excise would produce nearly 2,000,000*l.*, above 1,900,000*l.* I believe; the actual increase, so far from being 1,900,000*l.*, was, upon the most favourable calculation, not more than 700,000*l.*; consequently there was a deficiency, comparing the actual produce with the estimated produce, of not less than 1,300,000*l.* But see what had taken place with regard to the assessed taxes, the taxes approaching more nearly to direct than to indirect taxation. The right hon. Gentleman's estimate, I think, was not more than 275,000*l.*, as the produce of his 10 per cent upon the assessed taxes; but the actual produce was above 300,000*l.*, exceeding by that amount the estimate which he had stated to us. There was, consequently, the evidence that indirect taxation, that is to say, that species of indirect taxation which is implied in a regular per centage upon the articles of import, had completely failed; whereas, an increase of that taxation which partakes of the nature of direct taxation had completely succeeded. On those grounds, so far as they involved financial considerations, I ask the House whether or no it was prudent to resort to avowedly direct taxation, or to ask for that increase of revenue which all admitted to be advisable, through the renewal of the duty on salt, or on leather, or on any of those articles on which the duty had been reduced. We proposed an income-tax, and the House approved of that measure. It was not "smuggled through;" it was assented to after long debate, and after strenuous opposition, with a deep conviction that indirect taxation in the then state of the country offered no solution of your difficulties. But there were commercial as well as financial considerations which recommended this tax to the House. What was your commercial position in the year of which I am speaking? There existed complete prohibitions upon the import of all animals that formed part of human subsistence. No cow, no sheep, no bullock, could be introduced; there was absolute prohibition. What were the duties upon other articles of subsistence? On bacon there was a duty of 28*s.* per cwt., on hams a duty of 28*s.* per cwt., on rice a duty of 7*s.* per quarter, on salted pork 12*s.*, on salted beef 12*s.*; nay, there was even a duty of 2*s.* per cwt. on the import of potatoes; and when we proposed to reduce it, there was the greatest remonstrance against it, and prophecies of ruin on the part of those districts in which potatoes were grown in this country. What was the state of the corn law at that time? If the price of wheat was 67*s.* 11*d.* a quarter, the duty then attaching to foreign wheat imported was 18*s.* 8*d.*; if the price was 63*s.* 11*d.* the duty was 23*s.* 8*d.*; if the price was 62*s.* 11*d.* the duty was 24*s.* 8*d.* I proposed in that year, as a general rule, to remove all prohibitions, and to permit imports at certain rates of duty; to admit all raw materials, the elements of our own manufacture, at a rate of duty not exceeding 5 per cent; to admit all goods partially manufactured at a rate not exceeding, I think, 12 per cent, and all articles completely manufactured at a rate not exceeding 20 per cent. That proposition was made on the part of the Government, and that proposition was acceded to, after repeated discussions, by large majorities of that House of Commons. The tax continued till the year 1845; it would have expired on the 5th of April, 1845; but one half-year remained to be received. In the statement which I made to the House of Commons in 1845, I said that on the 5th of April, 1845, notwithstanding the remissions of taxation in 1842, there would be a surplus of revenue as compared with expenditure to the amount of 5,000,000*l.* That was my estimate of the surplus. I stated that, even if you repealed the income-tax, or rather permitted it to expire in 1845, there would be on the 5th of April, 1846—taking credit for about 2,600,000*l.*, the half-year of the income-tax—a surplus of 2,600,000*l.* I stated at the same time, that in the opinion of Her Majesty's Government, it was advisable to add greatly to the naval estimates of this country. The progress that was made in steam navigation, the utter deficiency of any means of repairing steam-boats in the Channel, the unfitness of your ports for the accommodation of war steamers generally—made it right in the opinion of the Government to lay the foundation of those works to which the hon. Gentleman the Secretary to the Admiralty recently adverted. We thought it advisable also in that year to increase the number of men in the Navy to the extent, I think, of 5,000. I stated that before the renewal of the income-tax. I stated fully to the House—

> "This is your condition; if you adhere to the estimates and make no increase in them, you will have an available surplus at the end of the current year of not less than 2,600,000*l.*; but a great part of that, of course, will be derived from the half-year's income-tax to be received. If you continue the income-tax and consent to the increase of the estimates, you will in that case have an estimated surplus on the 5th of April, 1846, of 3,600,000*l.* In what manner will you appropriate that surplus, if you consent to the renewal of the income-tax?"

I made various propositions again, carrying into effect the principles and policy which had been adopted in 1842. Before I asked the House to consent to the continuance of the income-tax, I entreated them seriously to consider whether or no they preferred the continuance of it, with the remission of the excise duties upon glass, the auction duty, an alteration of the sugar duties, involving a loss of not less than 1,300,000*l.* So far from taking the House by surprise, the whole of these considerations were most fully presented to them. The House affirmed the increase of the estimates—the House affirmed the continuance of the income-tax—the House affirmed the repeal of those taxes to which I have referred, leading to an absolute loss of revenue, which it was utterly impossible to recover, except by the indirect effect of the increase of the consumption of other taxed articles—a loss of not less than 2,500,000*l.* Upon various articles the loss was 330,000*l.*; upon glass the loss was 600,000*l.*; upon cotton the loss was 480,000*l.*; and upon auction duties the loss was 300,000*l.* In short, the total repeal of taxation which it was utterly impossible to recover, as you can recover revenue in the case of a reduced tax upon some great article of consumption, was not less than 2,500,000*l.* It was upon a full cognizance of all these facts that the House of Commons assented to my scheme of financial policy. It is said that when I subsequently addressed a certain body of merchants in a distant town—the subjects of another Sovereign—I gave an explana- of my views and intentions which were at variance with my original declarations in Parliament. I utterly deny it. I certainly have seen in the newspapers what professed to be a letter written by me; but, in point of fact, it was, first, a German translation of a letter which I did write; and, in the next place, an English translation from that German translation. I have no great desire to correct the errors of the press, or to repel the attacks that are made upon me in consequence of those errors; but here is the letter which I did actually write, and by which I would prefer to be bound rather than by any double translation. I presume nobody would wish me to read any other part of it than that which relates to the subject immediately under discussion. An address had been presented to me by certain merchants; and I answered the address by expressing my gratification at their approval of the three principal measures connected with the financial and commercial policy of the country, which it had been my duty, as the Chief Minister of the Crown, to propose to Parliament. I then said—

> "The property-tax was intended not merely to supply a deficit in the revenue, as compared with the public expenditure, but to lay the foundation for a juster principle of taxation; to afford the means for repealing duties on the raw materials of important manufactures; for exempting great branches of domestic industry (the manufacture of glass, for example) from vexatious regulations of excise; and for remitting or reducing taxation on several articles imported from abroad, which are essential to the comfort and enjoyment of the industrious classes of the community."

Now, I beg to ask whether the imposition of the income-tax was not the foundation of the commercial policy of the country? Why, is it possible that I could propose the remission of taxes to an amount of no less than 7,500,000*l.* if I had not, as a foundation for that commercial policy, an income-tax to fall back upon? There were 1,200 articles of consumption which were subject to duty, either of Customs or of Excise, and many of which duties led to restrictions of a vexatious nature, and which were felt to be more onerous than the amount of duty imposed. On 700 of those articles the duties were reduced; and on not less than 500 of them, in the course of three years, the duties were entirely repealed. Was it not to lay the foundation of such a commercial policy that the House of Commons assented to the temporary imposition of an income-tax? Did any one at the time say "No" to it? True, you did not in express words say that the income-tax was to be the foundation of such a policy; but the language used by me was identically that I have just now quoted. When, in March, 1842, I invited you to consent to the imposition of this tax, insinuations were thrown out that the Government was not in earnest in proposing so great a change in the commercial policy of the country, and that we had not expressly stated that the existence of the Government depended upon your assenting to the proposition. Now, what is the fact? On the 23rd of March, 1842, before the House of Commons assented to the measure, they heard these words from me:—

> "I propose this as a measure which involves the fate of the Government. I do propose it—I speak not of minor details, but of the measure itself—as the basis of the financial and commercial policy of the country, and as a measure which I never could have consented to propose if I did not manifest my conviction of its necessity by risking my fate as a Minister upon it."

These were actually the expressions I then used. I certainly did, on that occasion, intimate a strong doubt whether it would not be better, in order to give full scope to the new commercial policy that had been adopted, to impose the income-tax for a period of five years rather than of three; though, at the same time, I entertained, and indeed intimated a hope—a sanguine hope—that it might be possible to dispense with the continuance of the tax after a period of three years. I can say, with truth, that I had no covert design, at that momoment, of perpetuating the tax. I then thought that a revival of trade would so increase the ordinary sources of the revenue as to enable the Government to consider whether the income-tax might not, with perfect safety, be discontinued. When the House went into Committee on the 5th of April, 1845, it was believed that there would be a surplus of 5,000,000*l.*; but, although my expectations in that respect were disappointed, yet the buoyancy of the ordinary sources of revenue had been such as to afford an amount sufficient to supply the void which had been occasioned by the repeal of taxes in previous years. It was with a full knowledge of these facts on the part of the House of Commons that I ventured to propose to them the continuation of the income-tax. Now, if the House regret that measure, then, as I said before, they have a right to express their regret, and to take a different course. But I don't want to shelter myself under their authority. As long as I live I shall never repent that I proposed that alteration in the commercial policy of the country, and that I induced the House of Commons—not by fascination—not by smuggling—but by a full and explicit statement of the financial affairs of the country, to continue the tax; and that I induced the House to supply the place of the large reduction of duties upon imports, by imposing a tax upon the income and property of the country. At the time the income-tax was originally proposed (and this is a point which is not altogether immaterial to the present argument), I was told that the substitution of direct taxation for indirect taxation, to the extent I proposed to substitute it, was most unwise, and that I should find, that although I might derive a large sum from the income-tax itself, yet I should at the same time have to make a large deduction from the revenue generally on account of the defalcations that would occur in the amount derived from indirect taxation, which deficiency would bear a corresponding relation to the increase arising from the income-tax. Now, that is not the case. In the year 1842, when I proposed the income-tax, the assessed taxes amounted to 4,190,000*l.* That was before direct taxation was imposed at all. In 1847 the same assessed taxes produced 4,334,000*l.*, notwithstanding the existence of the income-tax during the whole period between 1842 and 1847: so far, therefore, from there being a decrease in the revenue derived from the assessed taxes on account of the simultaneous imposition of an income-tax, there was an increase of more than 100,000*l.* in the receipt of the assessed taxes for last year. Neither in 1842 nor in 1845 did I mean to lay down any principle with regard to the proportion which direct taxation should bear to indirect taxation. I said this only—that I thought the proposal to impose a tax of three per cent upon the revenue of the country, after taking off the duties upon the raw materials employed in our manufactures, and after diminishing other taxes, the high rate of which led to smuggling, would be beneficial to the public; and that the substitution of a 3 per cent income-tax for the taxes so repealed or diminished would be just. I am quite aware that there are limits to direct taxation, and I do not agree with those who would substitute direct for indirect taxation. I do not think you could, except for a special and temporary purpose, wisely carry direct taxation to a much greater extent than you have already carried it. But you must, nevertheless, admit that there is a great inducement in evil times to take a revenue from indirect rather than from direct taxation. Although I may think that the imposition of direct taxation is preferable as compared to indirect taxation, yet I am not at all prepared to assert that direct taxation should, without mature consideration, be substituted for indirect taxation. I held that opinion in 1842, and also in 1845, and I hold it now. I voted against the proposal which was made by the hon. Gentleman the Member for Cockermouth (Mr. Horsman) the other night—a proposal which he seemed to think, on account of the difficulties of the subject, he had not clearly explained, but which I must say was perfectly intelligible to me; at the same time, I found it quite impossible to assent to it. Now, I believe, I entertain opinions at variance with a large body of the Members of this House on the subject of the income-tax. I admit there are many individual cases of great hardship under a tax of that description. Taking the circumstances of individual cases into consideration, instances of hardship cannot be denied; but I do not assent to the proposition that it is therefore an unjust tax. I think while the tax exists it ought to be a tax upon income. If, indeed, you intend to make a great national exertion, and propose to lay a tax upon capital, why then tax it. Suppose, for instance, it was proposed to pay off the national debt, it might be desirable, in that case, to make a great exertion. I am not saying that any such exertion is desirable. On the contrary, I am speaking now of an annual exertion only which is required to be made to meet an annual demand; and I must say, after having given the subject repeated consideration, I think the tax ought to be on income, and that there should be no distinction made in the amount of the tax on account of the different sources from which the incomes are derived. I never would consent to relieve from the tax, incomes derived from trade and from professions, for the purpose of making an invidious and, as I think, an unjust distinction, by levying such a tax upon funded or what is called realised property. I think an effort ought to be made to meet the annual demand of the country by the annual exertion of the country, inasmuch as the annual income of the country depends upon that exertion. Why, that is really the principle upon which all your taxes are founded—all those taxes for which this income-tax is a substitute. Surely, all the taxes which have been repealed fall equally heavily upon the professional man as upon the man of realised property. You make no distinction as to those who pay taxes on articles of luxury or who pay the assessed taxes, whether they be professional men or possess realised property. By repealing the taxes on articles of luxury you benefit all parties equally, and therefore it seems to me that the onus of the tax which you substitute for those you have repealed, ought to be borne equally by all, whatever may be the source of their income. If you were to attempt to make the distinction such as the hon. Member for Cockermouth has suggested, it would be fallacious, and the same difficulties which are now pointed out in respect to the incomes of professional men and men of real property would occur. No principle can, in my opinion, be devised which would be more just, or, I would rather say, would be more free from objection, than that which you are desirous of seeing removed. It was upon that principle that I proposed the imposition of the income-tax in 1842, and its renewal in 1845; and subsequent consideration has confirmed me in the opinion that any attempt to impose a greater annual burden upon income derived from realised property would, apart from the objection that the public faith is pledged to the contrary in the case of the funds, lead to consequences which I am not prepared to contemplate, and which I should dread to see accomplished. Sir, I am not prepared to recommend an increase of direct taxation, nor a departure from the principle, at least, on which the present amount of direct taxation is founded. I come now to the question raised by the hon. Gentleman (Mr. Hume), whether this tax shall be continued for three years or for one. I shall give my decided support to the proposition of the Government for maintaining the tax for a period of three years. The hon. Gentleman proposes that the tax shall be continued for one year only. With his opinions that immense reductions can safely be made in the amount of our military and naval expenditure, that proposal is a consistent one. But how the hon. Gentleman the Member for North Warwickshire (Mr. Spooner) can vote for the proposition for continuing the income-tax for one year, I do not so well understand. The hon. Gentleman says he shall give his cordial support to the Government in their resolution to maintain the whole of the force now on foot, considering that they have wisely, under existing circumstances, determined not to reduce that force. Well, then, if the present amount of force is to be maintained—and I am decidedly of opinion that it ought to be maintained—I cannot foresee any such reductions in the estimates as will enable us to dispense with the income-tax in 1849. The hon. Gentleman the Member for North Warwickshire says, "True, I support the estimates of the Government; but there are some other items of expenditure in which I think retrenchments may be made." I listened with great attention to the speech of the hon. Gentleman; but my expectations were greatly disappointed when I found that one great retrenchment was to be made by saving the expense of the Commission for Charities; while the other proposition was to save the expense that might occur if the hon. Member for Bolton (Dr. Bowring) were again sent to inquire into the manner of keeping accounts in foreign countries. Whatever we have paid the hon. Gentleman is irrecoverable. But suppose you apply the principle; well, then, I suppose you would make a saving of 1,000*l.* That is a very small saving; and the proposition of the hon. Member for North Warwickshire only shows that if such suggestions can be offered as saving the expense of the Commission for Charities, or the saving of such a salary as might be paid to the hon. Member for Bolton for inquiring into foreign accounts—it only shows, I say, that if the amount of our military force is to be maintained, we cannot expect any great reduction in our expenditure, even if the hon. Gentleman should be added to the Committee. I do not say one word against reduction. I confess I have been alarmed at the gradual increase of our expenditure. Of the responsibility for that increase the House of Commons is not exempt from a great portion. It is owing in a considerable measure to the suggestions offered in this House. I think that the increase which has taken place at the instance of the Government is very large on some items of expenditure; but then those items were of essential importance. I think it would not be difficult to convince the House of the absolute necessity that existed for making some additions in our different dockyards to the efficiency of our steam force. When, in 1842, I came to look to the state of the defences, I found it absolutely necessary to complete the fortifications of such places as Portsmouth and Plymouth, with a view of, at all events, protecting them from any sudden attack. As to the various classes of military officers, the numbers of which have been increased, that increase originated in the suggestions of the House — suggestions which more than one Government have been blamed for not having given sufficient weight to. At the same time, I should have given my assent to the continuance of the tax in question with the utmost reluctance, did I think that that continuance would tend to withdraw the items of our expenditure from the most careful revision. But I am not so sanguine as some hon. Gentlemen relative to the immediate effects of economy and retrenchment. Many instances of retrenchment may lead to an immediate and temporary increase of expenditure. You must not calculate on any such sudden reduction of expenditure as will enable you to dispense with a very large amount of expense incurred in the great branches of the service. Mind, I say not a word against the proposed inquiry into this subject—against the necessity for a searching investigation. In 1835, the estimates were undoubtedly lower than at any other period; but they were so low that the House was obliged to assent to their increase; while, as a general rule, it will be found that their reduction, if carried on too precipitately, although it may lead to a temporary saving, may yet necessitate at some future period a corresponding increase of expenditure. I shall give my vote, Sir, for the continuance of this tax for a longer period than that which the hon. Gentleman proposes, because I am deeply convinced both of the necessity of economy on the one hand, and of the necessity of maintaining inviolate the public credit on the other. No doubt hon. Gentlemen say, "Oh, as to the public credit, there can be no question; but let the system of taxation be revised—let the burden be more equally adjusted." The feeling is, of course, unanimous as to the public credit. Well, Sir, but I would rather have the income-tax in reserve before I come to consider this amended system of taxation. Suppose that new system to be proposed on the 1st of February next, with the certainty that the income-tax must expire on the 5th of April. Now, notwithstanding all the professions of your determination in the abstract to support the public credit, I have so much dread of the failure of this new method of taxation before the 5th of April, that, having a due regard for the public credit, I should like to have the income-tax to fall back upon in the contingency—the possible contingency—of the new system not being relished, or not working successfully. If it should succeed, then you can repeal the income-tax. At all events, its existence will give time for more mature consideration, without shaking the confidence of the public creditor. But I cannot conceive it possible that there will be such a reduction in public expenditure as to enable you to dispense with 5,000,000*l.* per annum. Neither do I think that you could be prepared with a general scheme of taxation likely to command success. My conviction is, that you can propose no tax raising five millions of money which can be collected at anything like the rate at which the income-tax is levied. You cannot impose a tax returning two and a half millions without going to the expense of one-third more in its collection than the income-tax costs you. For these reasons I shall cordially support the proposal of Government for continuing this tax for three years. I do not entertain the shadow of a doubt as to the House assenting to it. If Government felt it to be their duty to recommend a strenuous exertion for the purpose of meeting a probable deficit by increased taxation, it would be with the utmost reluctance that I should offer any opposition. I do not mean to blame the Government, considering the strong feeling against any increase in the income-tax; I do not mean to blame them for the discretion which they exercised in withdrawing the proposition for that increase; for the circumstances of the times are such that great allowances must be made. As to an increase of revenue, we have no doubt been disappointed in regard to the customs duties; but there never was such a combination of circumstances affecting that increase as that which has existed during the last two years, and by which the trade and commercial energies of the country have been hampered. And, Sir, I feel it to be my duty, in this day of commercial depression, to assert my continued adherence to the principles on which the late remissions took place. I have the utmost confidence in the justice of those principles, although their operation has been interfered with by that combination of events to which I have alluded. Why, Sir, there was the necessity for supporting the people of one part of the empire. Ten millions were raised by way of loan. There was the necessity for the importation of an enormous quantity of grain for home consumption. There was the derangement which took place from other causes in the commercial routine of the country. But, Sir, these events, so far from making me regret the measures which were carried into effect with the view to the improvement of our commercial system, or of causing me to distrust the principles on which these measures were founded — the experience of past events, however disheartening in some respects, has led me, for one, to a totally opposite conclusion to that unfavourable one which has been drawn from it. At the time these measures were proposed, I believed that their principles were sound and good; and I still maintain the most confident expectation that the energies of this country will rise superior to the present pressure, and that we shall live to see the time when the revenue will be as prosperous as it was in 1845. I repeat, we may hope speedily to see a very considerable increase in the ordinary revenue of the country. With that increase, and the retrenchments which may be made, I think that there is every prospect of the finances of the country being placed on a more satisfactory footing than they now stand on. But one of my reasons for consenting to allow the income-tax to be continued for three years is, that only last year, in a time of peace, you were obliged to add 10,000,000*l.* to the debt; and on that very account increased exertion ought to be made to meet the expenditure of the country. I wish that could be done without touching the balances in the Exchequer, and risking a greater degree of dependence upon the Bank than may be altogether agreeable. But, as I said before, though any proposal for increased exertion on the part of the country would have met with my concurrence, I do not blame the Government for withdrawing their original proposal for an income-tax of 5 per cent. I must own I shall be influenced in my support of the proposal made by the Government by a reference to the wonderful events which have taken place within a very recent period in a neighbouring country. I think they are an ample justification for this country not consenting to incur any risk of a larger deficit for a period of three years. I conceive it to be utterly inconsistent with sound policy not to make any reference to events which must have filled us all with astonishment. Of this I am perfectly confident, that the true policy of this country dictates the most complete and absolute abstinence from all interference in the internal affairs of that country in which such a wonderful social revolution has taken place. I hope, however, that we shall not fail to exercise the rights of hospitality. It is of the utmost importance to the interests of humanity that this country should be a place of refuge for the victims of all great political changes. It has been so in other times, and I trust it will long continue to be so. But when, on former occasions, political exiles, after having been received in this country, and partaken of its hospitality, have taken advantage of their position to disturb monarchical governments in other countries, I have always protested against such an abuse; and I now declare that I apply the same rule to those who would endeavour to disturb a republican Government. Whilst, therefore, I trust that this country may continue to be a place of refuge for the victims of political revolutions, I do hope that its hospitality will not be abused for the purpose of making it the focus of intrigues against the Government of another country. The same rule which is good for a monarchy is equally good for a republic. I heard, with great satisfaction, the declaration that our Government has wisely determined to abstain from all interference in the internal concerns of France; and I am convinced that the principle so proclaimed will be acted upon with perfect good faith and scrupulous honour; and that the Government will not only abstain from any such interference on its own part, but will discourage any abuse of our hospitality for a purpose of interference on the part of others. I purposely abstain from any more particular allusion to the portentous events which have occurred in France. That country is still in the agonies and throes of a great social revolution. I attach not too much importance to what may appear in this newspaper or in that. A Provisional Government, merely, is at present established, until a more regular one can be formed; but I venture to express an earnest hope that those who direct the destinies of France will be content to occupy themselves with their own social condition. I hope it will be in the power of France to exhibit a government strong in its own internal resources—which will be able to reconcile perfect independence with regard for the rights established by treaties—and which will not set us the example of that aggression, that desire for territorial aggrandizement, which may interrupt the peace of Europe, and inflict irreparable misfortune on the whole civilised world.

Lord G. BENTINCK: The question

before the House is not whether we shall refuse or accede to such a measure of taxation as will maintain the public credit of this country, but whether or not we should maintain the undoubted power of this House, or whether we should part with that power of revising the taxation of the country. The right hon. Baronet, who has on this occasion "fought all his battles o'er again," has gone back to the year 1842; and since that is the case I shall take the liberty to go back a year farther. The right hon. Baronet would have us believe that he deceived no one in 1842; and that we perfectly well knew in 1842 that when he proposed the income-tax, it was to lay the foundation of a change in our commercial system by which he has since been enabled to revise the tariff. I maintain it was to the burghers of Elbing that he for the first time confided that it was his intention to deprive the agricultural and colonial interests of Great Britain of their long enjoyed protection. I must remind him that in the month of May, 1841, he supported two resolutions in this House, by one of which he succeeded in defeating the Government of Lord Melbourne, who proposed to admit foreign sugar at a fixed duty of 12*s*. per cwt. Then we were told "that not only the interest but the honour of this country required" that slave-grown sugar should be excluded from the consumption of Great Britain. But, in 1846, we heard no more from the right hon. Gentleman that either the honour or the interest of the country required such exclusion. Next there was another resolution with regard to the admission of foreign corn at a fixed duty of 8*s*. per quarter. That too the right hon. Gentleman then thought it his duty to resist; and the right hon. Gentleman to-night tells you "that till the last hour of his life he never shall repent of the change he has made in our commercial policy." I appeal to my hon. Friends around me and ask them whether to the last hour of their lives they will ever cease to repent their misplaced confidence in the right hon. Baronet, by which they enabled him to turn out Lord Melbourne and take his place on the false pretence that he would preserve to the agricultural interest a protection better than a fixed duty of 8*s*. per quarter on wheat, and that he would preserve to the colonial interest a protection better than a fixed duty of 12*s*. per cwt. on foreign sugar? The right hon. Gentleman has just now tried to prevail upon the House to believe that, in 1842, he introduced the income and property-tax with a view to commercial reforms; but I remember the language which he held in 1842, and then the right hon. Baronet said that he contemplated the possibility of the tax being continued for five years; still as it was not his intention to maintain that tax longer than was "absolutely necessary"—[*Cheers*]—yes "necessary" was the word — he would only ask the House to confirm that tax for three years. What was the principal tax pressing upon what he called the industry of the country which he did repeal in 1842? It was the timber duty; but, at the same time, when the right hon. Gentleman in 1842 reduced the duty on timber of foreign growth, he reduced the duty also on timber of colonial growth. There was, therefore, no reason to calculate that he intended to put foreigners on an equal footing with our colonists. But the right hon. Gentleman says he came afterwards in 1845, and then he frankly told the House that he had got five millions of taxes to dispose of, and that it remained with the House to choose whether they would maintain our national defences and increase the Army and Navy Estimates; and whether they would avail themselves of the continuance of the income-tax to reduce the price of the articles of consumption in the country, and that it was perfectly competent for the House to reject his proposition altogether. But in 1845 we did not hear a word of the right hon. Gentleman's intention to let foreign corn in free of duty. Up to this time the tendency of his measures was not to expose the British agriculturist to the force of foreign competition; still less was its tendency to expose the British West Indian, or the grower of sugar in the Mauritius or the East Indies, to the admission of slave-grown sugar. Quite the contrary; he reduced the duty on British Plantation sugar, and maintained the exclusion of foreign slave-grown sugar. The other principal taxes removed were taxes of excise paid wholly by Englishmen. Not one word did the right hon. Gentleman then whisper of any intention altogether to revoke—not one word did he then utter of his intention to overthrow—the great protective commercial policy which he came into power to uphold. Very possibly such might have been the mental reservation at the time of the right hon. Gentleman—

"The fox barks not when he would steal the lamb," How did this House stand at that time, or, at least, how did the great majority which then existed stand? It may be true that some of the number — and I was one of them—may have thought that the repeal of the duty on cotton wool to the amount of 650,000*l.* was so much revenue thrown away; but how did we stand in other respects? Were we not taught to imagine that it depended upon our support that the agricultural interest, the colonial interest, the navigation laws, and public credit, should be maintained; or whether we should turn out the Government and throw ourselves into the arms of a Government prepared to carry out all the measures we so much abhorred, which the right hon. Baronet carried out himself in the year following? That we supported the reimposition of the property and income-tax in 1845 is altogether attributable to our having been so entirely deceived, so completely deluded, by the right hon. Baronet. But I beg leave to remind that right hon. Baronet, and I beg leave also to remind the Chancellor of the Exchequer, who said the other evening "that we were never promised that the income-tax should end," that the right hon. Baronet the Member for Tamworth distinctly told us "that such was the elasticity of commerce in this great commercial country, that three years would not expire before he would be able altogether to dispense with the property and income-tax." So much for the right hon. Baronet in his capacity of a prophet. But we have not to go so far back as 1845 for a prophecy. On the 25th of July last year, in addressing the electors of Tamworth, the right hon. Baronet glorified himself, not only on his "prophecies," but that he was not "one of those prophets who prophesied wisely after events." After reviewing what he called the perfect success of his commercial measures, he reminded the electors of Tamworth of a speech he made in 1845, "when he predicted, that by the end of the term of three years, such would be the commercial prosperity produced by his great reforms, that he should be able to dispense with the tax altogether." Now, that speech is only eight months old, and here we are with a deficiency in the revenue, and a proposal to renew the income-tax for three years longer. The right hon. Baronet, too, when indulging, in July last, in "a fool's paradise" as to the unalloyed advantages to arise from the change in the sugar duties, took great credit to himself for having supported Her Majesty's Ministers in carrying out this "wise" policy, and triumphant reference was made to the additional revenue which had arisen from the change. The House and the country, however, now knows something of the result of that great experiment. It is true that some 640,000*l.* has accrued to the revenue; but it is no less true that merchants, brokers, and planters connected with the sugar trade, have, one and all, been involved in ruin to the extent of some 6,000,000*l.* sterling. To prop up your miserable financial measure, you have been obliged to feed the population of the Mauritius with rice out of the imperial chest — obliged to advance 450,000*l.* —I hope you may get it back again—upon the security of sugar from the Mauritius. And while we hear on all sides that the British plantations are to be abandoned, while by the packet which arrived last night we learn that Demerara is one scene of incendiary fires—that the Governor has issued proclamations offering rewards of 500 and 1,000 dollars for the discovery of the offenders: this is only one of the first practical results of your attempt to apply the doctrines of political economy to free labourers — asking them first, and next endeavouring to compel them, to submit to wages reduced to the scale which can alone leave their employers the means of a living. The same state of things meets you on every side in your western colonies; while, so far as the Mauritius is concerned, I venture to say that, but for the intelligence from France of the intention of the Provisional Government to emancipate the slaves in the French colonies, many years would not elapse before England would have to fight a battle for the retention of the Mauritius. Two years, I say, would not elapse before England would have to fight for the retention of the Mauritius, looking at the natural anxiety of the French colonists in the Mauritius to be restored to French dominion, in order that they may be restored to the commercial protection which their sister colonies flourish under. ["Question!"] I beg your pardon. Whoever thinks I am not speaking to the question, let him rise. I tell you that your free-trade speculations, while they operate now most cruelly upon your own colonists, and upon your own people, must be retraced in the end, and that till this be done the money you get by your financial measures with one hand, will be lost in the payment of troops with the other hand to keep your colonies quiet. Well, Sir, the question I now ask is, have the measures of free trade answered? I ask the question, because the point I am to moot is this—whether we are to agree to the property and income-tax to obtain revenue for three years, or whether we are to endeavour to obtain revenue from import duties and to reduce the expenditure to the year's income. I tell you that the House must retrace its steps—that you must abandon your mischievous policy — and that you must seek a revenue such as that which the United States derive from duties on foreign imports. ["Question!"] Hon. Gentlemen who think I am not speaking to the question are mistaken. I am speaking very closely to the question. The question is, how we are to raise taxes?—by income-tax with free trade, or by revenue duties on foreign imports? And I beg leave to say this, that whatever may be the opinions of hon. Gentlemen who were elected in July or August last, I doubt, if they were sent back to their constituents, whether they would find them altogether so free-trade mad as they were when the right hon. Baronet told the country, on the 23rd of last July, that such was the success of his measures that at the end of next year the revenue would meet the expenditure without any property or income-tax being required. I tell you that you must go back to the system of indirect taxation. I am no advocate for the Excise; and that was one reason among others that induced me to support the income-tax; it did away with two large excise taxes, enabling you also to dispense with I know not how many excise officers, and an expense of collection of 10 or 12 per cent. But your taxes on foreign imports costs you nothing. So long as you have a tax even of 1*s.* a pound on tobacco, I believe you will find it necessary to place tidewaiters on board of vessels laden with cotton wool to guard against smuggling. These tidewaiters, therefore, at the same cost, might as well be employed in levying a halfpenny duty upon the cotton, as merely watching lest a few pounds of tobacco concealed in bales of cotton should be smuggled ashore. But my argument is this, with respect to foreign imports, that when you put your taxes on the industry of foreigners, these foreigners pay a large portion of the tax so imposed. Of this I can give you no better proof than was afforded by the cases of brandy, timber, tallow, and cotton. You took off the duty on brandy in 1846, and instantly the price rose in bond 1*s.* 9*d.* per gallon; and the matter has ended in this, that the price of brandy which in 1845 was 4*s.* 3*d.*, in 1847 was 5*s.* 11½*d.*; and the gross result is, that while you consumed one-third more in 1847 than you did in 1845, at a loss to the revenue of some 12,000*l.*, you pay for the raw article in bond nearly half as much again as you did in 1845. My argument, therefore, is, that when you took your duty off foreign brandy, a considerable portion of the reduction of 7*s.* 10*d.* went into the pocket of the French producer. I have no doubt the hon. Member for Liverpool (Mr. Cardwell) will boast, as he has already boasted, of the great success of that measure, and he will tell how much it has added to the comforts of the people, with little loss to the revenue; but I beg leave to remind the hon. Gentleman and this House, that old Chancellors of the Exchequer, as the right hon. Gentleman the Member for Stamford (Mr. Herries) will tell you, used, when they proposed to take a duty off one description of spirits, to consider how the reduction would bear upon the duty realised upon another; and, I think, if I were to ask my right hon. Friend the present Chancellor of the Exchequer how it fares with him on spirits in general, he would tell the hon. Gentleman the Member for Liverpool that any increase in the consumption of brandy was more than counterbalanced by the loss on wines, on British spirits, and on malt. ["Question!"] I beg pardon of the House if I am trespassing too much on its indulgence; but I think I am addressing myself strictly to the "question." I am now going to the matter of the timber duties. The right hon. Gentleman (Sir R. Peel) arranged that timber, which in 1842 paid 55*s.* a load, should be reduced in April next to 15*s.* Colonial timber has fallen largely in consequence; but how fares it with Baltic timber? Just this, that Memel timber, which sold for 48*s.* 6*d.* before the duty was reduced, has risen to 59*s.* 4¼*d.* in 1848; thus nearly 11*s.* of the duty remitted had gone into the pockets of foreigners, who on 774,000 loads of timber consumed in this country, had last year pocketed a sum of about 425,000*l.* Tallow is in the same position. The duty was reduced from 3*s.* 2*d.* to 1*s.* 6*d.*, and the consequence is that the price has risen to the consumer in this country from 42*s*. 6*d*. to 48*s*. per cwt. So it is with all the other articles upon which duties were reduced. As regards sugar, in eight months after the reduction, foreign sugar went up 6*l*. a ton, while colonial went down 7*l*. a ton. Here, then, by effecting a reduction indirectly, which rendered the free-labour producer altogether unable to compete with the slave-grower, the difference has gone into the pocket of the latter. Let us look now at the duty upon corn. The revenue from the old law on an average was 850,000*l*. a year; and I ask would it not have been better for this country to have retained that revenue rather than have allowed the money to pass into the pockets of foreigners? I am speaking of the average of past years; but let me call the attention of my right hon. Friend the Chancellor of the Exchequer to one thing. I think he said the House did carry the suspension of the duty without objection. If I may be allowed to refer to one so humble as myself, I may be permitted to say that I read in the *Times* and the *Morning Chronicle* of that period statements to the effect that Lord George Bentinck denounced the Ministry for not sooner repealing the corn law. This certainly surprised me, and I began to think I must have come down to this House some day in 1847, drunk or dreaming, and denounced the Ministry for not repealing the corn law. I looked up *Hansard*, however, and found that at a time when I was not speaking for myself alone, as I now do, but for my friends, so far from denouncing the Ministry, I defended them for not taking off the 4*s*. duty. In January, last year, I declared, in my opinion, "if they did take off the duty, the difference would go into the pocket of the corn importer and speculator, and, what I should grudge more, into the pocket of the American grower." And I then said, that "although I would not divide the House, yet if I had the power of preventing the suspension, I would do so." I stated also that the Government, by maintaining the duty, would be adopting a course which would so far enable them to meet the distress in Ireland. That was the language which was held on this side of the House. Yesterday morning there was presented to this House a return with the name of Mr. Sandars on the back. I have taken the trouble to look it over, and I now ask the House what they think is the amount of duty which the Chancellor of the Exchequer, in his excessive profuseness, abandoned by his suspension of the corn law? Sir, taken at the lowest duty — that is, 4*s*. on wheat; 2*s*. on barley, beans, and peas; 1*s*. 6*d*. on oats; and 1*s*. on Indian corn — it amounts to no less a sum than 1,745,000*l*.; whilst we all remember that the very day after the resolution passed remitting the 4*s*. duty, the price of foreign wheat went up to the whole amount of the duty remitted. Thus the Americans and other foreigners got all the benefit of the reduction of this duty—the consumer none of it. Well, then, Sir, my proposition is in no way to injure public credit. Indeed, no man is more ready than I am to maintain the good faith of this country, or less disposed than I am—especially at this period—to weaken the naval or the military power of the nation. I have heard from some Gentlemen in this House, that the way to secure peace is to disarm ourselves; and that, by showing how defenceless we are, we shall remove all cause of jealousy and all cause of provocation with reference to foreign countries. There is no man in this House who has less wish to commit any act of aggression against France than I have — no man, whether in this country or in France itself, has looked with more satisfaction and admiration than I have on the moderation, mercy, and magnanimity which have been displayed by that nation under, I must say, great provocation—and I do not believe that all history records any precedent of conduct so moderate and magnanimous under similar circumstances. And, Sir, so far as their internal government and institutions are concerned, I will not be so impertinent as to cast a sneer on them, whether they be good or not; and it is my desire, if the people of France prefer to have republican institutions, that those institutions may prove as advantageous to that country as they have to our transatlantic rivals. But when I think of the chivalry which the French nation have displayed on this occasion, I cannot but feel that chivalry is not unfrequently allied with a desire for military glory; and that however much the Government of France may desire peace, it is impossible yet to say what may be the upshot of the great change that has taken place in that country, and that ambitious leaders may not again arise and proclaim to France that she ought to have a Rhenish boundary. I cannot, too —however much I may regret it—I cannot forget that England is bound by treaties from which she cannot recede, to retain the Rhenish provinces for Prussia—so that it is possible that, after all, we might be drawn into a war; and I, for one, therefore, will not consent to leave either the naval or the military arms of this country defenceless. But to come back to the question of taxation, my opinion is that you can levy taxes, not merely enough to meet the necessities of this year—for I am not supporting the removal of the income-tax altogether, I am only proposing to vote for the Motion of the hon. Member for Montrose to limit its present duration for one year—but that you may levy taxes by other means than those now in operation, as a permanent measure of finance amply sufficient to meet all the requirements of the State. I say, that, by maintaining permanently the corn law, which comes again into effect, I believe, on this very day, you may obtain from it alone a revenue of at least 850,000*l.*, if not double that sum; whilst by putting back 20*s.* of the duty you have removed from Baltic timber, you may raise a sum under that head of some 700,000*l.* more. If, too, it were earlier in the night, I would show you that, far from prosperity having attended the cotton manufactures of Great Britain, in consequence of the surrender of the duty of 5-16ths of a penny on raw cotton, amounting to 650,000*l.* a year, the date of their decay might almost be traced to the day when you removed those duties, which duties served at once as duties of revenue, and duties of protection to the cultivator of cotton in our East Indian possessions. This at least you cannot deny—the operatives engaged in those manufactures were never before for so long a period, or in such numbers, out of work; and I would further show you that, although it is said that the cotton manufactures were equally depressed in the year 1826, yet that the falling-off in the consumption of cotton in 1847 is equal to the whole cotton trade of England on the average of the four years ending with 1826. I well remember Mr. Huskisson's advice, that we should foster the growth and cultivation of cotton in the East Indies. But how is it now? You let the cotton of the United States come into this country free of duty, whilst you raise a heavy land-tax in India on the cotton lands, to maintain your expenses there, amounting to a duty on cotton of far more than five-sixteenths of a penny per pound; so that the result of your ill-considered legislation is to give a premium to the monopoly of the United States, and it is from that monopoly that you are now suffering. Why, Sir, the cotton growers of the United States, during the last two years, and notwithstanding their reduced crops, have made so much larger profits than in other years, that they can afford to hold back their cotton, and make England pay the price they choose to ask for it. A tax, then, on foreign cotton would, I say, be one of the cheapest taxes you could reimpose—a tax that would bring you in about 650,000*l.* of revenue—and you would thus be taking a lesson out of the books of the United States. And what is the state of the American revenue? I have the authority of the hon. Member for the West Riding of Yorkshire (Mr. Cobden) on this point; for the hon. Gentleman, in the course of his triumphal progress from Cadiz to St. Petersburgh, passed by Genoa on his route, and there, in addressing his free-trade friends, he greatly lauded the United States of America because they derived nine-tenths of all their revenues from duties upon customs. He might have added, had he thought fit, that, in consequence of the equalisation of their tariff in 1846, the result was that their duties, levied on all articles of British industry, averaged 28 per cent *ad valorem.* Now, then, I am disposed to return the compliment to the United States, in a moderate and modest way, not to raise our duties against them to 28 per cent, but, at all events, to levy duties to the extent of 10 per cent or upwards, on the produce of the United States. The article of tallow is one upon which a duty of 10 per cent might be raised; in short, I would put 10 or 15 per cent on all raw articles of foreign produce imported into this country; and, in the case of silk and other manufactures, a duty of 30 per cent; and then, Sir, we should have no need of any property or income taxes. Whilst upon this subject of silk; Sir, I may observe that I had, during the past week, some of the wretched, suffering, Spitalfields weavers to wait upon me, and they told me that, whereas in 1836 there were no fewer than 14,000 looms in Spitalfields, in 1845, after their trade had been dabbled with, they were reduced to 10,000—and on this day, Sir, of those 10,000 looms only 3,500 are working. The right hon. Baronet the Member for Tamworth and the right hon. Baronet (Sir J. Graham) sitting on the third bench behind him, who promised such high wages to the people of this country, and such cheap bread, will be greatly disconcerted, no doubt, to hear that pauperism in those districts has increased 100 per cent — whilst wages, where there are any wages at all, are reduced fifteen per cent. There has been in the same time an increase of 100,000lb. weight in the import of French silk manufactures, 100,000lbs. weight of French and foreign European silk goods at the ordinary estimated value of *3l.* sterling the pound weight, representing 300,000*l.* sterling, of which 50 per cent would go into the wages of weavers alone, and 25 per cent into the wages of other persons engaged in the manufacture; so that the result was that by a change in the law by which a considerable revenue had been sacrificed, these poor people had been robbed to the amount of 150,000*l.* a year, which would have put 3,000 looms into work, and given employment, at 10*s.* a week, to 6,000 persons. Where, then, is the man who has any feeling in favour of the manufactures of his own country—who loves his own fellow-countrymen better than foreigners—that would not wish to see the additional revenue that would be raised from this article—a revenue of not less than 169,000*l.* —put into the exchequer of this country, whilst at the same time increased employment would be given to our own people? This is not all; for I am sorry to say the poor shoemakers are in the same miserable plight, owing to the importations from abroad—not only they, but straw-plaiters, artificial flower-makers, and embroiderers, share this wretched distress; indeed, I know not how to enumerate all the trades thus damaged by the commercial and free-trade changes effected by the right hon. Baronet the Member for Tamworth. And when I am thus able with truth to tell you that such distress now overwhelms this country as scarcely ever before was known within its bounds, and that all your colonies are in ruin and beggary, the right hon. Baronet has the heart to get up and tell you that, as long as he lives, he never will regret the course he has taken. I remember that the right hon. Baronet prided himself on the comfort he was affording to the Cornish miners by admitting goose feathers duty free, that they might have feather beds to recruit their exhausted strength, and pillows of down on which to rest their weary heads. But it is not necessary for the right hon. Baronet to go so far as Cornwall to contrast the reality with his promises. Let him but go to South Staffordshire—to his own county—and there he will find that, out of 137 furnaces in South Staffordshire, as many as 60 are out of the blast; and the wretched miners, who were promised so much comfort, have had their wages reduced by fifteen per cent. In short, Sir, I look around me on all sides, and, with the exception of the representatives of money bags—the usurers—I confess I cannot discover a single trade that is flourishing. Much the right hon. Gentleman delighted, too, in the measures of the Chancellor of the Exchequer—much he approved of them; but the country was obliged to suffer in its agony to the last gasp before that right hon. Gentleman would consent to relax the mischievous restriction of his Bank Charter Act, and then only with the accompaniment of nothing less than a premium of eight per cent to the usurers, screwed out of the suffering people. Well, Sir, the taxes I have referred to would amount to about 3,800,000*l.*; but there is still another tax that might be levied, and at a less cost—I mean the tax of about 850,000*l.* by means of an additional penny on postage. [" No, no! "] Why, it would not be so great a grievance as an income-tax; and, at all events, there is nothing connected with it in the shape of a vexatious and inquisitorial prying into private and personal concerns. I may remind the free-traders, too, who sat in that Committee upon postage some few years ago, of what they seem to have forgotten, that their new postage scheme was to have added 2,500,000*l.* to the revenue—whilst the promoter of it promised that in a very short time—about three years, I think — the number of letters would increase upwards of fivefold. These predictions have signally failed. [" Question! "] Well, I am speaking to " the question;" the question is, whether we shall have a property and income-tax renewed nominally for three years, but virtually renewed as a permanent tax, which has become exceedingly odious to the country—and the more odious because, when imposed in 1842, and afterwards renewed, in 1845, it was distinctly promised that it should be a tax of very short duration—and faith has not been kept with the country in that respect—or whether we shall limit its duration to one year, and seek other modes of raising revenue less burdensome to the people. I think that the country has a right to be dissatisfied when statesmen deceive it with such false promises as these. I have a right to express my opinion, as a private and independent Member of Parliament, upon these subjects, and to say how it is that I think there are just grounds for the opinion that a revision of our taxation ought to take place, in order that some mode of raising revenue may be adopted that will be less odious to the country than a permanent property and income-tax. Though I have declared that I will not consent to weaken the military or naval arm of the country, it is clear to me that one of two things must happen—either we must retrace our steps, and raise taxes from foreign imports; or, if the luxuries as well as the necessaries of life are to be cheapened 25 per cent—and I take leave to say that the price of sugar is now little more than half what it was in 1844 to the consumers—that we must take 25 per cent off the incomes of all who live on the taxes of the country. We are not to have the wages of the Spitalfields weavers reduced 15, 20, and 25 per cent—we are not to have 10,500 out of employ or working short time on this day in Manchester alone—we are not to have meetings such as I have received an account of this evening, to consider whether or not the operatives of Lancashire and Cheshire are to be sent across the Atlantic to share the fate of the wretched Irish emigrants out of 100,000 of whom 20,000 are represented to have perished on the passage, and since their arrival in Canada. This is not the way to deal with the poor working classes of the people of England; leaving, at the same time, those whom the right hon. Baronet the Member for Ripon once aptly termed "the large birds of prey," to enjoy their unreduced salaries, while the luxuries and necessaries of life are so very much cheapened. If we are to have this the cheapest country in the world—and cheap because all the labouring classes are to be ground to dust to enrich foreigners—and that annuitants and tax-eaters may purchase cheaply the luxuries as well as the necessaries of life—we must also reduce the salaries of all those whose salaries are paid out of the taxes. We should, for instance, have 25 per cent taken off the salary of the Lord Lieutenant of Ireland; that noble Lord is a great free-trader, and, of course, could not object to the purchase of an Irish Lord Lieutenant in the cheapest market. These are the reasons I have to give why we should hold this tax fast for another year, to see if, in that time, first, we cannot reduce the expenditure; next, whether the country will be able to rise again from the effect of these free and unrestricted imports with a restricted currency, so that the revenue should grow up to the expenditure; and thus retain in our hands the power to reconsider and decide next year whether we are to have an income-tax, or to have recourse to some different mode of taxation. I will, in conclusion, take the liberty of reminding my friends around me of the fable of the Cock and the Fox, and imploring them not to forget how they were beguiled by the soft and persuasive eloquence of the right hon. Baronet the Member for Tamworth in 1842 and 1845, to follow the advice to be found in the speech of the Cock to the specious professions of the Fox—

"An honest man may take a knave's advice,
But only idiots are cozened twice;
Once warned is well bewared."

Debate adjourned.

House adjourned at a quarter past Two o'clock.

HOUSE OF LORDS,

Tuesday, March 7, 1848.

MINUTES.] *Took the Oaths.*—The Earl Manvers.

PUBLIC BILLS.—*Received the Royal Assent.*—Consolidated Fund; New Zealand Government.

PETITIONS PRESENTED. From Nottingham, against the Admission of Jews into Parliament.—By the Earl of St. Germans, from Members of several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to the above Order.

HOUSE OF COMMONS,

Tuesday, March 7, 1848.

MINUTES.] PUBLIC BILLS.—1° Queen's Prison; Insolvent Debtors (India); Outgoing Tenants (Ireland).

Reported.—Passengers.

PETITIONS PRESENTED. By Mr. Wakley, from Finsbury, and Mr. Cowan, from Edinburgh, for the Adoption of Universal Suffrage.—By several Hon. Members, from various Places, for and against the Jews Disabilities Bill, for and against the Roman Catholic Relief Bill, and against the Roman Catholic Charitable Trusts Bill.—By Viscount Morpeth, from Mirfield, for the Better Observance of the Lord's Day.—By Sir John Trollope, from Lincoln, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Hume, from Colombo (Island of Ceylon), respecting the Removal of Verandahs.—By Mr. Adderley, from Stafford, Captain Boldero, from Chippenham, and Mr. Christopher, from Gainsborough, for Repeal of the Duty on Attorneys' Certificates.—By Viscount Melgund, from Greenock, for Inquiry respecting the Excise Laws.—By Mr. Lushington, from Middlesex, for an Equalization of the Land Tax.—By Mr. Hume, from Dartmouth, for a Reduction of Tolls and Dues on Lighthouses.—By Mr. Reynolds, from Dublin, for an Abolition of Ministers' Money (Ireland).—By Mr. Baines, and other Hon. Members, from numerous Places, against a Continuance of the Property Tax.—By Mr. Clements, from Carrick-on-Shannon, respecting Taxation on the Shannon Navigation.—By Viscount Morpeth, from Sheffield, for a Repeal of the Window Duty.—By Mr. Ewart, from Dumfries, for a Repeal or Alteration of the Bank of England Charter Act, and Banking (Scotland) Act.—By Dr. Bowring, from Bolton, for placing Beer Retailers on the same Footing as Licensed Victuallers.—By Mr. P. Scrope, from Mayo, for Inclosure of the Commons and Waste Lands (Ireland).—By Mr. Buck, and other Hon. Members, from several Places, against the Diplomatic Relations with the Court of Rome Bill.—By Mr. Goring, from Chichester, and by Mr. T. Hildyard, from Nottingham, for an Alteration of the Law respecting Education.—By Viscount Morpeth, from several Places, for Sanitary Regulations.—By Sir W. Somerville, from Enniscorthy, for an Extension of the Land Improvement Act (Ireland).—By Mr. Sharman Crawford, from Carrickmacross, and by Mr. Reynolds, from Monaghan, for an Alteration of the Law of Landlord and Tenant (Ireland).—By Viscount Melgund, from Greenock, for an Alteration of the Law respecting the National Land Company.—By Viscount Morpeth, from York, and by Mr. Greenall, from Lancaster and Chester, for Retrenchment in the Naval and Military Expenditure.—By Mr. Glyn, from a number of Places, against Militia Enrolment.—By Mr. Baines, from Kingston-upon-Hull, against a Repeal of the Navigation Laws.—By Mr. Hume, from North Shields, respecting the Custom House at that Port.—By Viscount Melgund, from Greenock, against the Passengers' Bill.—By Dr. Bowring, from Chelsea Hospital, respecting Deductions from Half Pay Army Pensioners.—By Mr. Morgan John O'Connell, from several Places, for Alteration of the Poor Law (Ireland).—From Dunfermline, for an Alteration of the Law of Prisons (Scotland).—By Mr. Shafto Adair, and other Hon. Members, from several Places, for Alteration of Public Health Bill.—By Viscount Morpeth, from Halifax, in favour of the Public Health Bill.—By Mr. Greenall, from Lancaster, for Abolitiion of the Punishment of Death.—By Mr. Wakley, from various Places, for Referring War Disputes to Arbitration.—

TENANT-RIGHT IN IRELAND.

Mr. SHARMAN CRAWFORD moved for leave to bring in a Bill to secure the rights of the outgoing tenants in Ireland. It was his intention to propose to secure those rights by confirming and extending the custom of tenant-right as it exists in the province of Ulster. His object was to bring before the House, in the form of a distinct proposition, what that tenant-right was, and what provisions would be necessary to make it law. His Bill would be confined to that particular object, the explanation of tenant-right, and those provisions that would be necessary to enforce it. As the proposition for leave to bring in the Bill was not, he understood, to be opposed by the Government, he would postpone his statement of details until the second reading, and now merely move for leave to bring in the Bill.

Sir GEORGE GREY said, that it was not his intention to offer any opposition to the introduction of the Bill.

Mr. POULETT SCROPE considered that a subject of more importance could not come before Parliament. Many years had passed of promises to and expectations on the part of the people of Ireland. Commission after Commission had sat on the subject, and the time seemed to be coming when, if the Legislature did not interfere, the people of Ireland would take the matter into their own hands. He perceived the repeal agitation was becoming a tenant-right agitation, and rallying around it the farmer classes of Ireland, many of whom were vitally interested in the question.

Mr. TRELAWNY declared that he was opposed to the introduction of the Bill, and would, if necessary, divide the House on it.

Mr. HUME had always found that any attempt to interfere between masters and men had been productive of greater injury to the men than to the masters. He considered that any individual who held out hopes that they could divide the land between the possessors and the tenants, held out hopes that would do injury. Though he would desire to see improvements effected, with the sanction of the proprietors, he would not wish to see compulsory means adopted.

The Motion agreed to. Bill brought in and read a first time.

THE RIOT IN TRAFALGAR SQUARE.

Mr. MONCKTON MILNES begged to be permitted to ask a question of the right hon. Baronet the Secretary of State for the Home Department respecting the collision between the people and the police which had taken place on the preceding day, in Trafalgar Square. There had been a meeting held in Trafalgar Square. It had been called by an individual—a certain individual. That meeting had been allowed to take place, and it had gone off perfectly decently and orderly till after a great number of speakers had been heard with decorum and tranquillity on the part of the people. After the meeting had ceased, and when the people were about to disperse, a collision took place between them, which had resulted in grave consequences. He, therefore, wished to be informed what directions had been given to the police with respect to the meeting; and he asked the question because he believed that, on the one side, the freest discussion by the people was the best security for the public peace in this country; and on the other, he also believed that the police forces of the metropolis were willing to their duty in the best manner.

Sir GEORGE GREY: The meeting was convened by a Mr. Cochrane. An advertisement convening it had been circulated, and bills had been posted in public places, signed by Mr. Charles Cochrane, summoning a meeting to take place in Trafalgar Square for the purpose of petitioning Parliament for the total and immediate abolition of the income-tax. The commissioners of police, seeing the advertisement, wrote to Mr. Cochrane, and informed him that there was an Act of Parliament, the 57th George III., the provisions of which prohibited the holding of any meeting in the open air for the purpose of petitioning Parliament for the alteration of any measure affecting Church or State at any place within one mile of Westminster Hall, during the sitting of Parliament, except within the limits of the parish of St. Paul, Covent Garden. Mr. Cochrane acknowledged the receipt of the communication, in a letter in which he stated that he was not aware the meeting was illegal. The commissioners, in reply, told him that he mistook their meaning. That it was not an illegal meeting, but that the place appointed for it was within the limits prohibited by an Act of Parliament. Mr. Cochrane accordingly abstained from attending the meeting himself, and put up placards informing the people that the meeting could not be held, and calling upon them to disperse. With regard to the "grave consequences" alluded to by the hon. Gentleman, no graver consequences had followed than a slight disturbance, and the breaking of some widows and lamps, which the police most effectually and (he believed) temperately checked.

House adjourned at Six o'clock.

HOUSE OF COMMONS,

Wednesday, March 8, 1848.

MINUTES.] PUBLIC BILLS.—1° Imprisonment for Debt (Ireland).

2° Game Certificates for Killing Hares; Borough Police Superannuation Fund.

PETITIONS PRESENTED. By Sir H. R. Inglis, from the Isle of Wight, against, and by several Hon. Members, from various Places, in favour of, the Jewish Disabilities Bill.—By the Earl of Arundel and Surrey, from Lancashire, against the Roman Catholic Charitable Trusts Bill.—By Sir J. Trollope, from Lincoln, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Frewen, from a number of Places, against, and by the Earl of Arundel and Surrey, from several Places, in favour of, the Roman Catholic Relief Bill.—By Mr. Bremridge, from Somerset, for Repeal of the Duty on Attorneys' Certificates.—By Mr. William Fox, from Hawick, for Inquiry respecting the Excise Laws.—By Mr. J. O'Brien, from Limerick, for the Abolition of Ministers' Money (Ireland)—By Mr. Baldock, from Shrewsbury, against a Continuance of the Property Tax. —By Sir R. H. Inglis, from the Isle of Wight, against the Diplomatic Relations with the Court of Rome Bill.

ROMAN CATHOLIC RELIEF BILL.

House in Committee on the Roman Catholic Relief Bill.

SIR R. H. INGLIS wished that the House should be put in possession of the instructions of Her Majesty's Government on the subject of the Bill.

SIR G. GREY would be prepared, as the Committee proceeded, to state in detail his views on the different provisions of the Bill. To the general opinion which he expressed some days ago on the measure, he still adhered. He did not think that it would remove any great practical grievances, for all such grievances had already been repealed by positive enactment, or were virtually abrogated. He admitted, however, that there were some obsolete penal enactments which it would be as well to remove at once from the Statute-book; and he might here observe that of this class there were two Irish Acts which he believed would not be touched by the Bill of the hon. and learned Member for Youghal. Perhaps it was an oversight, for no doubt it was not the hon. Member's intention that any favour should be extended to English Catholics in which Irish should not also participate.

MR. ANSTEY explained that the reason why the Bill did not contain any allusion to the Acts in question was, that pursuant to a suggestion which fell from some Irish Members in the course of former debates, it was thought the more expedient course to leave to Irish lawyers the task of drawing up a Bill for the relief of Irish Catholics.

MR. SLANEY was sorry that there was not a more definite expression of the intentions of Government with respect to the Bill. He could not consent to give his vote for the whole of this Bill as it now stood. He had voted for the second reading after considerable hesitation, contrary to the opinion of a large body of his constituency; but he did so solely on the ground that when they came into Committee the objectionable portions of the Bill should be omitted, and if they were not he must vote against the Bill. Though he did not mean to say anything disrespectful of them, he thought that anything which would give facilities for the introduction of monastic orders into the country would prove injurious, as it would tend to create differences, and in many instances disturbances, which he should very much regret to see. In his mind the result of such a measure would be, that those parties, entertaining no doubt a sincere conviction of the truth of their own opinions, would endeavour to convert other persons to those opinions, and a contest would arise between those who were endeavouring to convert on the one side, and those who were endeavouring to resist on the other. It would also afford facilities for the introduction and continuance of the Jesuits in this country; and, without any desire to create unjust prejudices against persons belonging to that order, he could not shut his ears to the universal opinions of persons not only in this country, but in all the countries of Europe, with respect to the injurious effects that had arisen from their presence. Although he (Mr. Slaney) was most willing to join in removing any practical evils arising from obsolete statutes, he could not at the same time consent to make alterations which would give facilities for the introduction into the country of monastic orders, and thereby prove injurious to the peace of the community. Neither could he consent to a removal of the law with respect to the dedication of property to uses of this kind; and it was to him a matter of doubt whether any further dedication in the nature of mortmain would be advantageous to any religious community.

On Clause 1,

Sir R. H. INGLIS thought it would be better to postpone the words "hereinafter specified," which had reference to the Acts proposed to be repealed. The whole question between them depended upon whether any Act should be repealed or not; and if those words to which he had referred were included, and if they obtained the consent of the Committee to the three words in the clause, "shall be repealed," they would lead the House into an admission which he hoped the majority of the Committee would not be induced to adopt. There was, for instance, the Act 1st Elizabeth, which he apprehended was one of the Acts which the right hon. Gentleman the Secretary of State described as already substantially repealed by the Acts passed in the present reign. Now, if that Act was still in force, and if the Bill in his hand professed to do something more than had been already done, that something was this—that whereas, at present (he would assume for a moment the Act was not repealed) no Roman Catholic could publicly impugn the Queen's supremacy without incurring the penalty which the Act of Elizabeth imposed, this Bill, if adopted, would legalize such conduct on the part of Roman Catholics, but leave it merely obsolete with respect to Protestants in this very same thing. And although the offence of denying the Queen's supremacy, so far as that offence was created by this Act, was, by the Acts referred to, substantially repealed, it still remained an offence at common law. He would take the opinion of the House with respect to expunging the particular part of the clause to which he had referred, and would move the omission of the words, "shall be repealed," on the fifth line, page 2.

Sir G. GREY said he understood the hon. Gentleman the Member for Oxford to be of opinion that one of the Acts should be repealed; for he proposed to leave out the words "shall be repealed," which would render nugatory the whole of the Bill. If he could get a majority of the Committee to agree with him, it would be tantamount to an expression of opinion that the Bill, so far as this clause went, ought to be rejected. If he understood his hon. Friend rightly, he wished to raise the question whether these Acts should be repealed, and the House would decide that on argument; but the hon. Gentleman could not confine the discussion on these words to one of those Acts.

The Committee divided on the question that the words proposed to be left out stand part of the Clause:—Ayes 94; Noes 59: Majority 35.

List of the Ayes.

Adair, R. A. S.
Baines, M. T.
Barrington, Visct.
Bellew, R. M.
Berkeley, hon. G. F.
Brockman, E. D.
Brotherton, J.
Carter, J. B.
Clements, hon. C. S.
Cobden, R.
Craig, W. G.
Cubitt, W.
Divett, E.
Drumlanrig, Visct.
Drummond, H.
Duncan, Visct.
Dunne, F. P.
East, Sir J. B.
Ebrington, Visct.
Evans, W.
Ewart, W.
Fagan, W.
FitzPatrick, rt. hn. J. W.
Fordyce, A. D.
Fox, R. M.
Fox, W. J.
Gardner, R.
Gibson, rt. hon. T. M.
Glyn, G. C.
Graham, rt. hn. Sir J.
Greene, J.
Greene, T.
Gyey, rt. hon. Sir G.
Henry, A.
Hervey, Lord A.
Heywood, J.
Hodges, T. L.
Jervis, Sir J.
Johnstone, Sir J.
Keating, R.
Kershaw, J.
King, hon. P. J. L.
Macnamara, Major
Meagher, T.
Maitland, T.
Martin, J.
Martin, C. W.
Milnes, R. M.
Monsell, W.
Morison, Gen.
Mowatt, F.
Nugent, Sir P.
O'Brien, J.
O'Brien, Sir L.
O'Brien, W. S.
O'Flaherty, A.

Pendarves, E. W. W.
Perfect, R.
Pigott, F.
Pilkington, J.
Power, N.
Pusey, P.
Raphael, A.
Reynolds, J.
Russell, F. C. H.
Sadleir, J.
Scully, F.
Seely, C.
Seymour, Lord
Sheil, rt. hon. R. L.
Slaney, R. A.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, rt. hon. E.
Sullivan, M.
Sutton, J. H. M.
Talbot, J. H.
Tenison, E. K.
Thompson, Col.
Thornely, T.
Townshend, Capt.
Trelawny, J. S.
Tufnell, H.
Urquhart, D.
Vane, Lord H.
Villiers, hon. C.
Wakley, T.
Walmsley, Sir J.
Wawn, J. T.
Williamson, Sir H.
Wilson, M.
Wood, rt. hon. Sir C.
Yorke, H. G. R.

TELLERS.

Anstey, T. C.
Arundel and Surrey, Earl of

List of the Noes.

Adderley, C. B.
Alexander, N.
Arbuthnott, hon. H.
Archdall, Capt. M.
Arkwright, G.
Baldock, E. H.
Benbow, J.
Blackstone, W. S.
Brackley, Visct.
Bremridge, R.
Brooke, Sir A. B.
Bruce, C. L. C.
Buck, L. W.
Carew, W. H. P.
Chaplin, W. J.
Christy, S.
Clive, H. B.
Codrington, Sir W.
Compton, H. C.
Conolly, Col.
Deering, J.
Dodd, G.
Duncombe, hon. O.
Ffolliott, J.
Frewen, C. H.
Fuller, A. E.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Greenall, G.
Gwyn, H.
Halford, Sir H.
Harris, hon. Capt.
Heald, J.
Henley, J. W.
Hildyard, R. C.
Hood, Sir A.
Hope, Sir J.
Jones, Sir W.
Knox, Col.
Law, hon. C. E.
Lindsay, hon. Col.
Long, W.
Lygon, hon. Gen.
Mahon, Visct.
Manners, Lord C. S.
Miles, P. W. S.
Mundy, E. M.
Plumptre, J. P.
Sandars, G.
Sibthorp, Col.
Smollett, A.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Tollemache, J.
Vyse, R. H. R. H.
Waddington, H. S.
Wellesley, Lord C.

TELLERS.

Inglis, Sir R. H.
Newdegate, C. N.

The CHAIRMAN then read the Clause.

Mr. HENLEY moved the omission of that part of the clause which repealed the penalties of the Act of Elizabeth, beginning at the 17th line, down to the word "mainprise."

Mr. LAW seconded the Amendment of the hon. Member for Oxfordshire. There could be no doubt, he thought, as had been admitted by Lord Lyndhurst in another place upon the passing of the 9th and 10th Victoria, that to impugn the pre-eminence of the Crown was an offence at common law. He did not see that any direct advantage would be gained by repealing the Statute of Elizabeth. The offence would not thereby be repealed. The penalties were already repealed; and he could not see the benefit of retaining words in this clause which should repeal that statute.

Mr. GOULBURN opposed the Amendment. If the offence still remained an offence at common law, he saw no reason for retaining the Act of Elizabeth.

An Hon. MEMBER wished to inquire, if the offence were an offence at common law, what the offence was?

The ATTORNEY GENERAL said, to deny the pre-eminence of the Crown would be, he apprehended, treason at common law.

Mr. LAW wished to know whether a person could be indicted at common law for the offence detailed in the terms of the 1st of Elizabeth?

The ATTORNEY GENERAL said, he did not intend to state that the denial of the spiritual pre-eminence of the Crown was an offence at common law: he meant of course the temporal pre-eminence. According to very learned opinions the Act of the 1st Elizabeth created no offence at all, but merely imposed penalties for an offence already created. But the penalties being repealed, the Act containing no prohibition created no offence. That being so, the law would remain just the same whether that statute were repealed or not. His reason for voting for the retention of the words in the clause, was, that the Act which they sought to repeal created a doubt whether parties could proceed under the Act or not, and in fact contained a provision which could not be acted upon.

Sir R. H. INGLIS saw no reason for removing from the Statute-book any of the securities we had for the maintenance of the King's supremacy; and, therefore, the arguments of the Attorney General were inoperative with him to induce him to relax in his opposition to this clause, and he trusted the hon. Member for Oxfordshire would give the Committee an opportunity of dividing.

Mr. HENLEY said, that the Attorney General had given no answer to the question, whether or no it was an offence at common law to deny the supremacy of the Crown. He, therefore, thought that the hon. Member for the University of Cambridge ought to reconsider the judgment he had come to, when the law officer of the Crown would not take on himself to affirm whether or no he was disposed to withdraw the statutable protection. He had always understood that this statute mainly declared what the common law meant to do; and when that was once done, there was considerable inconvenience in going back again to the common law. He should certainly divide the House on the Amendment.

Mr. ANSTEY said, that the hon. Gentleman who had just sat down had not done justice to the Attorney General. The hon. and learned Gentleman the Member for Cambridge, who put his question, omitted to state in what sense he understood the word "supremacy," because no one would deny that the Sovereign had some supremacy at common law. The question only was as to the amount and nature of the supremacy. [*Laughter.*] Hon. Gentlemen who laughed would find that he was not wandering from the question. At common law the supremacy of the Sovereign was temporal; and ecclesiastical, *sub modo.* If by ecclesiastical you meant spiritual, and claimed a spiritual supremacy over persons not belonging to the Church of England, then he said that at common law it was no offence to deny that supremacy; but if it meant that the King at common law had supremacy in all matters ecclesiastical or civil, then to deny or question that supremacy was an offence at common law, and might amount to high treason. If a Roman Catholic bishop or priest, in pursuit of those advantages which the Toleration Act secured to him, should resort to any measures of a temporal nature for the purpose of enforcing those spiritual rights; then he might even be guilty of high treason; and the repeal of this clause would leave the common law in that respect unaltered. It appeared from a work of the Irish Lord Chancellor Bolton, that until the Ecclesiastical Supremacy Act was extended to Ireland by an Irish Act, such supremacy was not in force in Ireland, not even under the general authority of Poyning's Act, which secured to the English Legislature authority over Ireland; and to meet the difficulty the 2nd Elizabeth was passed. He might mention, also, that the Act against appeals to Rome in matters ecclesiastical had no force in Ireland until it was specially extended there.

Mr. SHEIL: If you repeal this Act, do you affect the common law? No. Therefore, are we not involving ourselves in a super-subtle discussion of what the common law is, when the common law is not affected whether we repeal the statute or not? The pains and penalties of the statute have been abrogated—the sting has been withdrawn. Then why keep it on the Statute-book? The question is, ought not a nugatory and offensive statute, which states a falsehood, to be repealed? I say that the Pope has spiritual authority in this kingdom; that is to say, the Pope has the appointment of Roman Catholic bishops, and I can give you a recent and high authority. Mr. Justice Coleridge, on a recent occasion, said, he thought the Pope the rightful head of the Christian world. I repeat it. I see an expression of wonder in the faces of hon. Gentlemen on the other side; but I say, at all events, before the Reformation. Those words are mine; they are not the words of Mr. Justice Coleridge; but they are words which are naturally elicited from the observation of the learned Judge, in reference to a system by which peace and tranquillity were preserved throughout the Christian world. If the Pope, before the Reformation, as rightful head of the Christian world, exercised spiritual authority, so now he has *de facto* exercised authority, as the bishops of Roman Catholics have been recognised in the Act of Parliament brought in by the right hon. Gentleman whom I see on the bench opposite (Sir James Graham). They have been put upon the Committee of Bequests, and they have been given precedence by that Act, as the words "Catholic Archbishop and Bishop" was introduced by the Committee, and purely upon my suggestion, for I pressed it upon the House. As these words—these technical expressions, which indicate the spiritual authority of the Pope—have been adopted, I say that the statute states what is not true. It states that the Pope has no spiritual authority—I say that he has.

Sir JAMES GRAHAM: I am extremely unwilling to obtrude at all on the attention of the Committee on such a subject; but an appeal has been made to me by the hon. Gentleman who has just sat down, which renders it impossible for me to give a silent vote. The hon. Gentleman says that under the Bequests Act precedence was given to Roman Catholic archbishops and bishops. I must dispute the precedences; but the recognition of those prelates by Act of Parliament cannot be denied. In reference to the point more immediately under consideration, I have a very painful recollection of the Act 9th and 10th Vict., from one particular circumstance, which was, that it brought me for the first, and I hope for the last, time of my life in a somewhat unfriendly collision with my hon. Friend the Member for the University of Oxford. He contended that the Bill, as introduced by the late Government, was a virtual repeal of the Act of Elizabeth, and that the supremacy itself was no longer in force by that statute. He said that would be the effect. I said it was a limited repeal, and would not produce the effect which the hon. Member for Oxford contended that it would. I have a very distinct recollection of all that occurred on the introduction of that Act. I am quite sure the whole question in reference to obsolete statutes affecting religious belief was referred to the Criminal Law Commissioners; and, if I mistake not, the Criminal Law Commission reported for the absolute repeal of the Clause of the 1st Elizabeth. Her Majesty's advisers, acting on the advice of the Commission, did deliberately consent to advise Her Majesty—going the whole length of the total repeal of the clause now under discussion — to adopt the advice of the Commission, and introduced the Bill. Lord Lyndhurst, occupying the highest post at the head of the law in this country, the first law adviser of Her Majesty, was high steward of the University of Cambridge. He saw no danger whatever in being a party to the repeal of this clause. He advised Her Majesty that such Bill would be brought forward by the Government, and he himself introduced it in the House of Lords. In the course of the discussion in this House, it was suggested that it might be possible to make the penalties no longer operative; and I consented to the introduction of the words of the 9th and 10th Vic., to which reference has been made by the Attorney General. The hon. Member for Dungarvon has said, and said truly, that the sting is withdrawn from the statute we are now discussing by the act of repeal. If the sting is withdrawn, the repeal of this clause may be said to be superfluous; but it does not change the law as it now stands. If the sting be not withdrawn, then I, for one, certainly think that in good faith and honour, having been a party to the original introduction of the Bill for the purpose of repealing the clause, I am bound to see it enforced. I will not stop there. I will go the whole length of saying, that if the common law, when the statutable provision shall have ceased to operate, be inoperative for the punishment of a party in this country for denying the spiritual supremacy of Her Majesty, in the wide sense in which I contend that spiritual supremacy is denied by Roman Catholics, I care not. I should be content that the common law should not create an offence which would affect the liberty of conscience of at least one-third part of Her Majesty's subjects. Certainly I am not alarmed at the effect of the repeal of this particular clause, or at leaving the common law inoperative in the matter. I see no occasion to insist on penalties to be directly inoperative by statute, or indirectly enforced by common law, which, if attempted to be enforced, would be inconsistent with the peace and happiness of the country. Something has been said as to the answer given by the Attorney General as to what offence the denial of the King's supremacy would be at common law. At his answer, in the first instance, I was certainly alarmed. To what extent may not this be pushed? Constructive treasons are a most dangerous doctrine. I know not whether the toast which at one time was given by the friends of the people, viz., "The Sovereignty of the People," might not, on the doctrine of the Attorney General, be termed treason at common law. I have the utmost horror of this doctrine. The hon. and learned Gentleman, on reflection, somewhat modified his opinion. It has been the great object of all constitutional writers to narrow the doctrine of treason. I cannot conceive that the assertion of the spiritual supremacy of the Pope should be constructive treason. I should regret to see that doctrine for one moment supported by the authority of the Attorney General. I have no hesitation whatever in voting for the repeal of this clause. I am indifferent whether at common law it should be an offence to acknowledge the supremacy of the Pope of Rome; and I certainly, on the whole, cannot for one moment hesitate in giving my cordial support to the clause as it originally stood.

MR. DRUMMOND said, that the right hon. Gentleman who had recently addressed the House had exhibited a glorious independence as regarded supremacy. *Dieu et mon droit* was the motto of the Crown; and he would merely add, that if the Catholics were aggrieved by the Act alluded to, he would not have the slightest objection to the removal of their grievances; but if not, he could not agree to the proposition that they were to be the only legal traitors in the country.

The EARL of ARUNDEL and SURREY said, that the speech of the right hon. Baronet had afforded him great satisfaction. An hon. Member opposite (Mr. Drummond) had said, that if the Catholics laboured under any grievances, he had no objection to their removal. The Bill before them proposed to repeal the penalties against any one who believed that there existed any authority, spiritual or temporal, within the realm other than the Crown. Every Catholic bishop believed that such spiritual authority did exist; and he (the Earl of Arundel and Surrey) would therefore claim the vote of the hon. Gentleman, as he had stated that he would vote for the removal of any grievance from the Catholics.

SIR R. H. INGLIS was of opinion, that it was wrong to put words into any man's mouth when that individual was absent, and of course could not defend himself. A friend of his, a Judge, had been misquoted, and he hoped he was wrong in saying that the misquotation was not altogether from a defect of memory. Justice Coleridge had been described as having said that the supremacy of the Pope before the Reformation was of effect as of to-day. He (Sir R. H. Inglis) could not pay so bad a compliment to the right hon. Gentleman who had so spoken, as to say that he did not understand what he was stating; and if he had done any injustice to him, he apologised for having done so.

MR. SHEIL said, that while the hon. Member for Oxford expressed his commendable indignation at any allusion to the words of an absent man, he might have abstained from attributing sinister motives to others. He had no antipathy against the learned Judge—he had no individual motive in alluding to the statement of Mr. Justice Coleridge; on the contrary, he had quoted his *dictum* as a proof of the authority of the Pope under the common law of England, which of course existed before the Reformation, and as a proof that the Pope had been recognised as the head of the Christian world, at least before the Reformation. He must say, that the hon. Baronet, when he meant to give so flat a contradiction to his (Mr. Sheil's) statement respecting the observations of an eminent Judge, ought to have been prepared to show from the newspapers that he (Sir R. H. Inglis) was right in the view which he had taken of those observations.

The Committee divided. On the question that the words proposed to be left out, stand part of the Clause:—Ayes 151; Noes 119: Majority 32.

List of the AYES.

Adair, R. A. S.
Adair, Visct.
Alcock, T.
Anson, Visct.
Armstrong, Sir A.
Baines, M. T.
Baring, hon. W. B.
Bell, J.
Bellew, R. M.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Blackall, S. W.
Blake, M. J.
Bowring, Dr.
Brockman, E. D.
Brotherton, J.
Bunbury, E. H.
Burke, Sir T. J.
Busfeild, W.
Campbell, hon. W. F.
Carter, J. B.
Cayley, E. S.
Clay, J.
Clements, hon. C. S.
Cobden, R.
Cochrane, A. D. R. W. B.
Colebrooke, Sir T. E.
Corbally, M. E.
Cowan, C.
Crawford, W. S.
Cubitt, W.
Dalrymple, Capt.
Damer, hon. Col.
Dawson, hon. T. V.
Divett, E.
Drumlanrig, Visct.
Duncan, Visct.
Duncan, G.
Dunne, F. P.
East, Sir J. B.
Ebrington, Visct.
Evans, W.
Ewart, W.
Fagan, W.
Fitzpatrick, rt. hn. J. W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Gardner, R.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, J.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Haggitt, F. R.
Henry, A.
Hervey, Lord A.
Heywood, J.
Hodges, T. L.
Hope, A.
Hughes, W. B.
Jervis, Sir J.
Johnstone, Sir J.
Keating, R.
Keogh, W.
Keppel, hon. G. T.
Kershaw, J.
King, hon. P. J. L.
Lawless, hon. C.
Lemon, Sir C.
Lewis, rt. hn. Sir T. F.
Lewis, G. C.
Lushington, C.
Macnamara, Major
M'Gregor, J.
Meagher, T.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Marshall, J. G.
Martin, J.
Martin, C. W.
Melgund, Visct.
Mitchell, T. A.
Monsell, W.
Moore, G. H.
Mowatt, F.
Mulgrave, Earl of
Nugent, Sir P.
O'Brien, J.
O'Brien, W. S.
O'Flaherty, A.
Patten, J. W.
Pechell, Capt.
Perfect, R.
Pilkington, J.
Pinney, W.
Power, Dr.
Power, N.
Pusey, P.
Raphael, A.
Rawdon, Col.
Reynolds, J.
Russell, F. C. H.
Sadleir, J.
Scholefield, W.
Scully, F.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Simeon, J.
Slaney, R. A.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Stuart, Lord J.
Sullivan, M.
Sutton, J. H. M.
Talbot, J. H.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Towneley, J.
Townshend, Capt.

Trelawny, J. S.
Tufnell, H.
Turner, E.
Tynte, Col. C. J. K.
Urquhart, D.
Vane, Lord H.
Wakley, T.
Wall, C. B.
Walmsley, Sir J.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Williamson, Sir H.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.

TELLERS.
Anstey, T. C.
Arundel and Surrey, Earl of

List of the Noes.

Adderley, C. B.
Alexander, N.
Arbuthnott, hon. H.
Arkwright, G.
Bagge, W.
Bailey, J.
Baldock, E. H.
Barrington, Visct.
Benbow, J.
Bennet, P.
Beresford, W.
Blackstone, W. S.
Boldero, H. G.
Bolling, W.
Bowles, Adm.
Brackley, Visct.
Bremridge, R.
Brooke, Lord
Brooke, Sir A. B.
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, W. M.
Burghley, Lord
Carew, W. H. P.
Chaplin, W. J.
Chichester, Lord J. L.
Cholmeley, Sir M.
Christopher, R. A.
Christy, S.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Cole, hon. H. A.
Colvile, C. R.
Compton, H. C.
Conolly, Col.
Cotton, hon. W. H. S.
Deedes, W.
Deering, J.
Dod, J. W.
Drummond, H.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Du Pre, C. G.
Farrer, J.
Ffolliott, J.
Filmer, Sir E.
Forbes, W.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Gooch, E. S.
Gordon, Adm.
Gore, W. R. O.
Goring, C.
Grenall, G.
Gwyn, H.
Hale, R. B.
Halford, Sir H.
Harris, hon. Capt.
Heald, J.
Heathcote, Sir W.
Heneage, E.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hood, Sir A.
Hope, Sir J.
Hotham, Lord
Hudson, G.
Inglis, Sir R. H.
Ireland, T. J.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Jones, Capt.
Knox, Col.
Lindsay, hon. Col.
Long, W.
Lowther, H.
Lygon, hon. Gen.
Mackenzie, W. F.
M'Naghten, Sir E.
Manners, Lord C. S.
March, Earl of
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Moody, C. A.
Mundy, E. M.
Neeld, J.
Newdegate, C. N.
Palmer, R.
Pigott, F.
Plumptre, J. P.
Plowden, W. H. C.
Prime, R.
Repton, G. W. J.
Rushout, Capt.
Sandars, G.
Seymer, H. K.
Shirley, E. J.
Sibthorp, Col.
Smollett, A.
Spooner, R.
Stafford, A.
Stanley, E.
Stuart, H.
Stuart, J.
Taylor, T. E.
Thornhill, G.
Trollope, Sir J.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Willoughby, Sir H.
Yorke, hon. E. T.

TELLERS.
Law, hon. C. E.
Henley, J. W.

A discussion ensued on some verbal amendments, in the course of which

Mr. SHEIL said: Sir, I regret to be obliged to recall the attention of the Committee to a matter personal to myself. The hon. Baronet the Member for Oxford has stated in language unlike the usual character of his expressions, and with a manner characterised by anything but that gentlemanly deportment—I was going to add, which is his wont—the hon. Baronet has stated that I was guilty of misrepretation, and that, not from any defect of memory. He has stated this in language which, were it employed by any other person, I should have considered as justifying me in a demand for explanation. He has, in fact, without a shadow of provocation on my part, imputed to me wilful falsehood. Upon that charge having been made, I intimated in the most good-humoured way to the hon. Baronet that I should leave the House for the purpose of extracting the exact words used by Mr. Justice Coleridge. Now the words used were, that "the Pope was the rightful head of the Christian Church," without the words which I stated as having been added by myself. It will be in the recollection of hon. Gentlemen opposite that I used the words "at all events before the Reformation." ["No, no!"] I appeal to the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), whom I see in his place, if I did not do so? [Mr. Gladstone: Yes, certainly.] The right hon. Gentleman says I did. Now these are the exact words used by Mr. Justice Coleridge—"If the Pope had been content with his power of patriarch, he might have retained his appellate jurisdiction, which rightly belonged to him as the universal head of the whole Christian Church." If different inferences and interpretations may be drawn from these words, which may be the expression of a state of facts before the Reformation, I appeal to the hon. Baronet (Sir R. Inglis) himself, if, under these circumstances, he thinks himself justified in imputing to me that which amounts to a great moral offence?

Sir R. H. INGLIS: I do not know whether the right hon. Gentleman has dealt wisely or unwisely in reviving the discussion upon this subject. I made no charge of falsehood against the right hon. Gentleman. But if I did, I hope that, without the terror with which the right hon. Gentleman's speech is charged, I, as a gentleman, and I hope as a Christian gentleman, should be ready and willing to apologise. The right hon. Gentleman knows well enough—at least, I hope that he does—that whilst it is not my habit or wish ever to give offence, it is not consistent with my principles to give the satisfaction which he seems to require. I will not revive the discussion so far as to consider whether or not the quotation which the right hon. Gentleman has now read to the House, bears the interpretation which he originally placed upon it. But I will say that the pause which the right hon. Gentleman made—the pause which he made in quoting Mr. Justice Coleridge's words—was sufficiently long for one to arrive at a very different conclusion from that of the right hon. Gentleman. But I can take an exception at once to the right hon. Gentleman quoting the authority of a judge from a newspaper. The right hon. Gentleman is a lawyer himself, and must know that the opinions of judges are to be taken from what are called the *Reports;* and I will venture to say that there is no judge, not even a coroner—I will venture to say that not one of them would have his law and *bon mots* taken on the authority of the *Times, Chronicle, Herald,* or *Post.* I apprehend, with respect to the Judges, that their opinions are to be taken from "*Adolphus and Ellis,*" and from the regular Reports; and I will now tell the right hon. Gentleman that it is because he attacked the Judge—not merely because he attacked an absent man, and him my friend—that I was induced to rise. I consider that it is not safe, in this country particularly, that the character of a judge should be assailed. [Mr. SHEIL: I did not assail him.] Oh, no! On the contrary, the right hon. Gentleman meant it to be a compliment! I am quite ready to admit that—I am ready to admit that the right hon. Gentleman's object was not to attack Mr. Justice Coleridge, but rather to give him credit for a much nearer approach to the religious opinions which the right hon. Gentleman himself holds than is actually the case. But I must repeat that the opinions of a judge ought to be taken from the legal Reports; and as long as I have a seat in this House—anxious as I may be at all times to defend a friend, and willing as I may be to defend an absent man, when these two qualities are combined in one man, and that man a Judge—I shall feel it to be my duty to rise on his behalf. The right hon. Gentleman said that I meant to accuse him of falsehood. But, even if I had the fear of that alternative before me to which he has alluded in his speech, I should be neither more nor less willing than I am now, in the absence of such terror, to state, *bonâ fide,* that I did not mean to impute falsehood to the right hon. Gentleman. I do say, that by pausing as he did, he led the whole Committee to draw a conclusion which I believe would have been inconsistent with the fact; and therefore I felt it to be my duty to rise and make the statement which I addressed to the House. Is the right hon. Gentleman satisfied now?

The EARL of ARUNDEL and SURREY remarked, he had listened to all the hon. Baronet had said, and attributed to him no intentional misrepresentation; but he certainly understood the hon. Baronet to accuse his right hon. Friend of wilfully misrepresenting that which he quoted.

MR. SHEIL: I am sure the House will feel I had reason to complain of what passed. I yielded at once to the sense of the House, and in the interval I procured the exact words used by Mr. Justice Coleridge. This I say, if I were guilty of any misrepresentation, it was not wilful.

After some further discussion,

MR. LAW moved, that the Chairman report progress, and ask leave to sit again.

The Committee divided:—Ayes 124; Noes 175: Majority 51.

List of the AYES.

Adderley, C. B.
Alexander, N.
Archdall, Capt. M.
Arkwright, G.
Bagge, W.
Bailey, J.
Baldock, E. H.
Bankes, G.
Beckett, W.
Bennet, P.
Beresford, W.
Blackstone, W. S.
Boldero, H. G.
Brackley, Visct.
Bremridge, R.
Briscoe, M.
Broadley, H.
Brooke, Lord
Brooke, Sir A. B.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, W. M.
Burghley, Lord
Cabbell, B. B.
Carew, W. H. P.
Chaplin, W. J.
Chichester, Lord J. L.
Christy, S.
Clive, H. B.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Conolly, Col.
Cotton, hon. W. H. S.
Deedes, W.
Deering, J.
Dod, J. W.
Dodd, G.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Dundas, G.
Du Pre, C. G.
Farrer, J.
Ffolliott, J.
Filmer, Sir E.
Forbes, W.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Gooch, E. S.
Gore, W. R. O.
Goring, C.
Granby, Marq. of
Greenall, G.
Gwyn, H.

Hamilton, G. A.
Harris, hon. Capt.
Heald, J.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hill, Lord E.
Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hotham, Lord
Hudson, G.
Inglis, Sir R. H.
Ireland, T. J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Lascelles, hon. E.
Lindsay, hon. Col.
Lockhart, W.
Long, W.
Lowther, H.
Mackenzie, W. F.
Manners, Lord C. S.
March, Earl of
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Moody, C. A.
Mundy, E. M.
Neeld, J.
Neeld, J.
Newdegate, C. N.
O'Brien, Sir L.
Ossulston, Lord
Palmer, R.
Pennant, hon. Col.
Plumptre, J. P.
Powell, Col.
Prime, R.
Repton, G. W. J.
Richards, R.
Rushout, Capt.
Sandars, G.
Shirley, E. J.
Sibthorp, Col.
Smollett, A.
Sotheron, T. H. S.
Stafford, A.
Stanley, E.
Stuart, J.
Sturt, H. G.
Thornhill, G.
Tollemache, J.
Turner, G. J.
Tyrell, Sir J. T.
Vyvyan, Sir R. R.
Vyse, R. H. R. H.
Waddington, H. S.
Walsh, Sir J. B.
West, F. R.
Willoughby, Sir H.
Wortley, rt. hon. J. S.
Yorke, hon. E. T.

TELLERS.
Law, hon. C. E.
Spooner, R.

List of the NOES.

Adair, H. E.
Adair, R. A. S.
Adare, Visct.
Alcock, T.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Baines, M. T.
Barkly, H.
Barrington, Visct.
Bellew, R. M.
Benbow, J.
Berkeley, hon. H. F.
Blake, M. J.
Bowles, Adm.
Bowring, Dr.
Bright, J.
Brockman, E. D.
Brotherton, J.
Bruce, Lord E.
Buller, C.
Bunbury, E. H.
Burke, Sir T. J.
Busfeild, W.
Campbell, hon. W. F.
Carter, J. B.
Cavendish, hon. G. H.
Cayley, E. S.
Childers, J. W.
Clay, J.
Clay, Sir W.
Clifford, H. M.
Coke, hon. E. K.
Corbally, M. E.
Courtenay, Lord
Crawford, W. S.
Cubitt, W.
Dalrymple, Capt.
Damer, hon. Col.
Dawson, hon. T. V.
Divett, E.
Drumlanrig, Visct.
Drummond, H.
Duff, G. S.
Duncan, G.
Dunne, F. P.
East, Sir J. B.
Ellice, E.
Evans, Sir De L.
Evans, W.
Ewart, W.
Fagan, W.
Fitzpatrick, rt. hn. J. W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Gardner, R.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Glyn, G. C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir. J.
Greene, J.
Greene, T.
Grenfell, C. P.
Haggitt, F. R.
Hall, Sir B.
Headlam, T. E.
Heneage, G. H. W.
Henry, A.
Hervey, Lord A.
Heywood, J.
Hodges, T. L.
Hope, A.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hughes, W. B.
Hume, J.
Hutt, W.
Jervis, Sir J.
Johnstone, Sir J.
Keating, R.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Kershaw, J.
Lacelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Lewis, rt. hon. Sir T. F.
Littleton, hon. E. R.
Lushington, C.
Lygon, hon. Gen.
Macnamara, Major
Meagher, T.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Marshall, J. G.
Marshall, W.
Martin, J.
Martin, C. W.
Matheson, A.
Melgund, Visct.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Morpeth, Visct.
Mowatt, F.
Mulgrave, Earl of
Muntz, G. F.
Nugent, Sir P.
O'Brien, J.
O'Connell, M. J.
O'Flaherty, A.
Patten, J. W.
Pechell, Capt.
Peel, Col.
Perfect, R.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Power, Dr.
Power, N.
Pusey, P.
Raphael, A.
Rawdon, Col.
Reynolds, J.
Ricardo, J. L.
Robartes, T. J. A.
Romilly, J.
Russell, F. C. H.
Sadleir, J.
Scholefield, W.
Scully, F.
Seymer, H. K.
Sheil, rt. hon. R. L.
Simeon, J.
Slaney, R. A.
Smith, J. B.
Somers, J. P.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Strickland, Sir G.
Stuart, Lord D.
Stuart, Lord J.
Sullivan, M.
Sutton, J. H. M.
Talbot, J. H.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Towneley, J.
Townshend, Capt.
Trelawny, J. S.
Trevor, hon. G. R.
Turner, E.
Urquhart, D.
Vane, Lord H.
Vesey, hon. T.
Walmsley, Sir J.
Watkins, Col. L.
Wawn, J. T.
Wellesley, Lord C.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.

TELLERS.
Anstey, T. C.
O'Brien, W. S.

COLONEL SIBTHORP moved that Mr. Bernal leave the chair.

Some further discussion ensued, and no progress having been made with the Bill, the House resumed.

The CHAIRMAN reported progress, and obtained leave to sit again.

GAME CERTIFICATES BILL.

MR. COLVILE moved the Second Reading of the Game Certificates Bill.

COLONEL SIBTHORP had no wish to oppose the second reading, but he should reserve to himself the full right to object to the Bill, indeed he might say almost every clause of it, even the preamble, when it went into Committee. For his own part, he had never seen a more futile Bill, save and except that contemptible Game Bill that was once brought forward by the hon. Member for Manchester (Mr. Bright), and which had occasioned so much expense to the country—an expense which he thought the hon. Member ought to be obliged to meet out of his own pocket. He had numerous exceptions to this most futile Bill; and, above all, to that part of it which would enable the poacher to undersell the licensed dealer. Indeed, the regular licensed dealer, who paid his taxes for the government of the country, was already undersold by a set of lawless fellows, who went about the streets without any license; but this Bill would give them still greater facilities. He hoped the hon. Member who had charge of it would assist him in making an effectual opposition to the "monster Motion" which had been threatened on this subject by the hon. Member for Manchester (Mr. Bright), who, in his humble opinion, did not know "a pointer from a pig."

Bill read a second time.

House adjourned.

HOUSE OF LORDS,

Thursday, March 9, 1848.

MINUTES.] PETITIONS PRESENTED. From Dumfries and Great Yarmouth, for the Removal of Jewish Disabilities.—From Stirlingshire, for Repeal of the Game Laws.—By the Bishop of Oxford, from Burford, and several other Places, against the Admission of Jews into Parliament.—By the Earl of Eglintoun, from Justices of the Peace of Berwick, for Alteration of the Bank Charter and Scottish Currency Acts.—From Drogheda, for the Establishment of such Tenant Right as will secure the Interest of both Landlord and Tenant.—From Birmingham, for the Repeal of the Window Tax.

THE DISTURBANCES IN TRAFALGAR SQUARE.

The MARQUESS of **SALISBURY** begged to call the attention of the noble Marquess the President of the Council to a paragraph which had appeared in a newspaper, and which attributed language to a magistrate which he would fain hope had never been made use of by him. It was a very disagreeable duty to perform to make any observations which might be considered as making a charge against an individual, especially when that individual was not present, at once to give an answer or to offer an explanation. If the paragraph were not correct, he was sure that the gentleman to whom it referred would enable the noble Marquess publicly to deny it. The paragraph in question had its origin in the disgraceful disturbances which had occurred in some of the streets of the metropolis during the last two or three days, and was part of what purported to be an account of the examination of certain persons who were accused before Mr. Hall, acting as magistrate at Bow-street police office, with being concerned in those disturbances. He would call the attention of the House to the first case:—

> "A young man, named James Marchant, was also placed at the bar, charged with exciting the mob by exclaiming, 'Down with the Police! No National Guards!' and throwing stones promiscuously among the people. The prisoner said that in the confusion it was impossible for the officer of the C division by whom he was apprehended to distinguish who was the aggressor; and he denied ever having made use of the language imputed to him, or to have incited the mob in any manner.—Mr. Hall ordered him to pay a fine of 20*s*., or be imprisoned for eight days."

He would now call the attention of the House to the second case, observing merely, that we ought to be very careful before we found fault with the sentence pronounced by a magistrate in his judicial capacity. Presently he should have something to say as to the inequality of the punishment in the two cases:—

> "ASSAULT ON THE POLICE.—James Drebilthorne, whose head was severely wounded, was brought up charged with assaulting the police in the execution of their duty. Sergeant Shepherd, of the A division, stated, that he was suddenly assailed by a volley of stones by the mob, while standing with other constables, and, on attempting to force the crowd back, they were again assaulted in the same manner, during which he was knocked down and struck by the prisoner with his fist in attempting to rescue a prisoner, in consequence of which he was compelled to use his staff to protect himself. The prisoner said he did not belong to the crowd, but had just parted with some friends, when he received a blow of a truncheon on the back of his head, which stunned him. Mr. Hall ordered the prisoner to be discharged, the constable being unable to satisfy him why he used his truncheon in such an indiscriminate and cowardly manner. Several other cases of a similar description were brought up, which detained the magistrate beyond the usual hour."

In his opinion the constable thus rebuked by the magistrate was justified in law in acting as he had done. It was rather singular, that on the same day on which the paragraph he had just read appeared, he received a newspaper containing some observations made by Mr. Justice Coleridge, on the trial of some prisoners at Hertford for riot and assault on the police; and the learned Judge's remarks were so apposite to the subject, that he would take leave to quote one or two of them. Mr. Justice Coleridge, in his charge to the jury, said that—

> "If a numerous party be engaged in the pursuit of any unlawful act, and any blow be struck by one of the party, each person is considered by the law as guilty of every one of the offences committed by the party, even though his may not be the hand that inflicted the particular blow in question. It is important that those persons who are ignorant of this provision should be made acquainted with the danger of joining with others to effect a breach of the peace."

In passing sentence upon the prisoners, the learned Judge said that—

> "He knew very well that the police were not a popular set of persons; but at the same time allowance ought to be made for the conduct of ministers of the law, who must perform disagreeable duties with regard to persons against whom they were called on to act. He hoped the prisoners and others would take warning from what had passed that day. The lesson he wished them to learn was twofold; first, they might depend upon it that the law would be found too strong for unlawful resistance; they might overcome a small force, but they would find in the end that the arm of the law was not shortened; that it would reach them, and overpower them, and punish them. The other lesson was, that if they determined to resist the law in carrying their designs into execution, they should take care that, in doing so, they were guilty of no violence."

If the language attributed to Mr. Hall were correctly reported, it was evident that he was unacquainted with the point of law referred to by Mr. Justice Coleridge. He (the Marquess of Salisbury) could not see why policemen's lives were not to be protected as well as other men's. He believed there never was a body of men collected together better disciplined, and who exercised their duty so thoroughly well, and with so much temper. Their manner of dispersing crowds was so quiet, but so firm and judicious, that they were entitled to the gratitude of the country for the manner in which they had conducted themselves during the last three days. The noble Marquess concluded by observing that the agricultural riots of 1830 were chiefly caused by the very timid and lenient sentences that were then passed. It would be much to be regretted if an impression should get abroad that the magistrates did not act in support of the police.

The MARQUESS of LANSDOWNE was not at all surprised that the noble Marquess, more particularly in the situation he filled in the county of Middlesex, should have been led to notice the singular expressions attributed in some of the newspapers to a most respectable police magistrate of this metropolis. They had attracted his (the Marquess of Lansdowne's) attention, and he had intended to make inquiry upon the subject; but he must do the magistrate the justice to state, that before any inquiry was made he had been at the Home Office, feeling what an imputation such a report cast upon him, for the purpose of entirely denying it, and to say that the statement of his having given that opinion with respect to the conduct of the policeman was entirely false. Mr. Hall stated that he not only did not give utterance to the expression that that constable had used his truncheon in an indiscriminate and cowardly manner, but that he used no expression whatever reflecting upon the conduct of the police; on the contrary, he said that the constable had done no more than his duty—a duty which he (the Marquess of Lansdowne) was happy to say was promptly, efficiently, and universally discharged by the police in the very disgraceful, though at the same time very contemptible, disturbances of the last few days. Although Mr. Hall did not think it necessary to inflict any sentence upon the individual whose case had been particularly referred to, a doubt being raised as to whether he was one who attacked the constable, he could not be said to have escaped punishment, for he appeared at the bar with a bloody head—quite enough, it might be thought, to cure him, and probably others, too, from mixing with such an assemblage again. He would take that opportunity of adding, that in the somewhat more serious disturbances in the northern part of the country, the greatest credit and praise were due to the police for their conduct, and also to the respectable citizens who had come forward as special constables to assist them.

LORD STANLEY also applauded the forbearance, coolness, and temperance with which generally, and especially on the recent occasion, the police had discharged their duty. There never was a more objectless and purposeless assemblage of people than that which had been disturbing the peace of this town, or an assemblage that gave more unequivocal proof of the rankest cowardice; yet that mob had excited very serious alarm among the citizens of London, and, but for the excellent conduct of the police, there might have been a great loss of property, and perhaps of life. The cases brought before the magistrate, therefore, could hardly be supposed to be cases for very light sentences. At the same time, it was very difficult for their Lordships with this information to judge of the merits of any particular case. It was evident that the disturbances in the north were utterly unconnected with anything of a political character; and the effect of this passing excitement in London had been to call forth a manifestation of public feeling which would show not only to this, but to foreign countries, that in the metropolis there was no sympathy with the disturbances for political objects, and that it was the fixed determination of the sober, quiet people of this kingdom, to use their utmost exertions to prevent disturbances. He (Lord Stanley) knew that there had been very gratifying offers made on the part of the tradesmen of London to assist in preserving the peace of the town, and he believed there had also been on the part of men in a lower class of life; and the events of the last few days had shown that the vast, the overwhelming body of the people, were determined to use their personal exertions, if necessary, for the defence of order and good government, and to put down all attempts at riot.

Subject at an end.

House adjourned.

HOUSE OF COMMONS,

Thursday, March 9, 1848.

MINUTES.] PUBLIC BILL.—2° Queen's Prison.

PETITIONS PRESENTED. By Sir J. Y. Buller, from Devonshire, against, and by Mr. Divett, from Exeter, in favour of, the Jewish Disabilities Bill.—From Lincoln, for a Better Observance of the Lord's Day.—By Sir R. Peel, from Staffordshire, against the Roman Catholic Charitable Trusts Bill.—By Sir R. Peel, from Devonshire, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. J. Greene, from Kilkenny, for Removal of Disabilities respecting the Roman Catholic Clergy (Ireland).—By Mr. Goulburn, from Cambridge, and by Mr. Law, from York, against, and by Mr. Benjamin Smith, from Dunfermline, in favour of, the Roman Catholic Relief Bill.—By Mr. Barkly, from Jamaica, to take into Consideration the State of the West India Colonies.—By Mr. Moffatt, from Dartmouth, for Repeal of the Duty on Attorneys' Certificates.—By Mr. Moffatt, from Distillers of Scotland, for Inquiry into the Excise Laws.—By Sir William Clay, from Middlesex, against Exemption of Small Tenements from Rating Bill.—By Mr. G. S. Duff, from Banffshire, for Revision of the Stamp Duties.—By Sir De Lacy Evans, from several Places, against Continuance of the Property Tax.—By Mr. Moffatt, from several Distillers, respecting the Bonding of British Spirits.—By Mr. Goulburn, from St. Vincent, in the West Indies, praying the House to take the Cotton Trade into Consideration.—From a number of Places, against the Diplomatic Relations with the Court of Rome Bill.—From several Places, for an Alteration of the Law respecting Education.—By Mr. Bright, from Oxford, and by Mr. F. O'Connor, from Nottingham, for Repeal of the Game Laws.—By Mr. Bright, from Manchester, for Sanitary Regulations.—By Mr. Reynolds, against Deriving Revenue from Intoxicating Drinks.—By Mr. Osborne, from Brentford, for Retrenchment in the Naval and Military Expenditure.—By Sir T. Acland, from Devonshire, against Repeal of the Navigation Laws.—By Mr. Goulburn, from Westham, for Alteration of the Law of Parochial Assessments.—By Sir De Lacy Evans, from Chester, respecting Deductions from Half-pay Pensioners (Army).—By Mr. Bright, from Dover, for Abolition of the Punishment of Death.

CASE OF ANNETTE MEYERS.

LORD NUGENT understood some evenings since the right hon. Baronet stated that he had received a communication from the Chief Baron, before whom the unhappy woman (Annette Meyers) had been tried, accompanied with a recommendation to mercy on the part of the jury. Taking it for granted that the right hon. Baronet had of course forwarded that recommendation to the proper quarter, he now wished to know whether the right hon. Baronet had received any further report from the Chief Baron, and whether the Government intended to recommend the prisoner to the favourable consideration of Her Majesty?

SIR GEORGE GREY: Without meaning the noble Lord the slightest disrespect, I must say that it appears to me that I shall best discharge the duty—the very painful duty which in this case devolves upon me—by declining to answer his question.

ENGLISH ARTISANS IN FRANCE.

MR. A. STAFFORD asked the right hon. Baronet whether he had received any information respecting the expulsion of English artisans, tradespeople, and labourers in great numbers from France, and whether Government had taken, or purposed to take, any steps to forward those poor persons to their respective homes? To this question he would add another inquiry (which he made in compliance with a suggestion he had received from others, and in order to allay any possible feeling of excitement), namely, whether the Government had the least notion of retaliation?

SIR GEORGE GREY would answer the last question first. He had no hesitation in stating that the Government did not entertain the slightest notion of retaliation. In answer to the original question of which notice had been given, he begged to state, that early last Sunday he received a letter from the noble Lord the Secretary of State for the Foreign Department, enclosing for his perusal a communication received by the noble Lord, from the British Consul at Havre, which conveyed the information that the French workmen in some of the factories at Rouen had demanded the immediate dismissal of the Englishmen and women employed in those factories. This demand (the letter stated) had been complied with, and the English people in the factories had been compelled to leave Rouen so precipitately, and embark with such haste in a steamboat, that they were obliged to come away without an opportunity of obtaining payment of the wages that was due for their work; and in many instances they left with a very inadequate supply of clothes, in fact with no clothing but that which they wore in the factory, which was only partial. The Consul being informed of their arrival at Havre, made it his business to inquire into their case, and found them in a very distressed and destitute condition; and, acting on the general authority given to British Consuls to provide for British subjects in distress—an authority which he might take that opportunity of observing had been considerably extended in the French ports with reference to existing circumstances in France—he made such provision as was in his power to ensure their present comfort, and their ultimate transmission to their native places. Some of them arrived at Portsmouth on Saturday night; others had requested to be allowed to remain in Havre for some time, in order that they might have an opportunity to recover their property and procure payment of the arrears of wages due to them. On obtaining information of these facts, he wrote to the Mayor of Portsmouth, directing him to make such provision for these poor people as might appear necessary. The Mayor, in reply, wrote a letter, dated the 6th of March, which he then held in his hand, and which conveyed the information that two vessels, containing ninety-seven persons, all flax-workers, had arrived at Portsmouth. The Mayor had taken an accurate account of the names of all the passengers, their places of abode, their original trades, and the descriptions of employment in which they were engaged in Rouen. They were all to have been shipped that evening, and to leave Portsmouth to-morrow, in order to be transmitted to their respective destinations. Many of them had come from Dundee and Glasgow; but the majority from Dublin and Belfast. It was further stated, that they had expressed themselves very thankful for the attention shown them. It was also mentioned that the Consul had addressed a letter to the Commissary of Rouen, calling his attention to the fact, and requesting he would take measures to obtain redress for those people, and prevent a repetition of this occurrence; and Lord Normanby had also, on being informed of what had taken place, called on M. de Lamartine, and stated the facts to him; and he at once promised, in the name of the Government, that the most liberal compensation would be made for the manner in which they had been expelled, and that an authority should be sent to Rouen to prevent a repetition of similar scenes.

POOR LAW (IRELAND)—THE QUARTER-ACRE CLAUSE.

Mr. SHARMAN CRAWFORD moved for leave to bring in a Bill to amend the Irish Poor Relief Extension Act, with a view to repeal the 10th Section, commonly called the Quarter-acre Clause. He asked for the attention of the House while he brought under its consideration the deeply injurious effects that had arisen to the population of Ireland from the clause which he sought to have repealed. He would remind them that there was no qualification in that clause; and if a poor man, having more than a quarter of an acre of land, was so unfortunate as to be in destitution, he was absolutely doomed by that clause to starvation. It might be urged that he could surrender his land; but in some cases it would be impossible for him to do so—for example, if he held under a joint tenancy, where there were joint partners, they were all responsible, and not one of the joint partners could surrender except the whole of them consented. So that, although one of them got into a state of destitution, he could not surrender to qualify himself for relief. It might also happen that a party was a tenant at will, and could not sell his occupancy. He had, therefore, no way of parting with it, and was really in a state of starvation, without having any means by which he could redeem or relieve himself. He proposed to repeal the 10th section of the Poor Relief Extension Act, and to give authority to boards of guardians to grant relief to all persons who are at the time in a state of destitution. It was intended that, where parties in possession of holdings required relief, such relief should be given by the board of guardians in the shape of a loan —that the deeds connected with their property should be lodged—and that the boards of guardians should, if necessary, have power to sell such property, or any other property possessed by the parties, for repayment of such loan. It was also proposed that any relief declared by the Commissioners to be given as a loan should be recovered. Under those provisions he maintained that sufficient security would be afforded for the relief given. He wished, by those provisions, to assimilate the law, as far as possible, to the English poor-law; and that the property of persons getting relief should be responsible for that relief. He would conclude by making a most earnest appeal to hon. Gentlemen to consider this proposition, and, if they did not accede to it, to agree at least to some modification of the clause.

Mr. O'FLAHERTY seconded the Motion. He considered that the repeal of the clause was absolutely necessary, for the people were in such a wretched state, particularly in the western part of Ireland, that he did not think the clause could be sustained at present. He could say that many of their public institutions were turned into poorhouses, or rather he should call them pest houses; and with the permission of the House he would read a few extracts from a letter he had received in reference to the prison of Galway from the chaplain. He had on a former occasion called the attention of the House to the state of that prison; and on that occasion the right hon. Gentleman the Secretary of State for the Home Department had made some observations indicating that he did not acquiesce in the statement which he had made. He (Mr. O'Flaherty) now begged to lay before the House the information he had since received. It appeared from the letter he had received that such sufferings as the wretched prisoners were subjected to, arising from indifferent prison accommodation, disease, and nakedness, had never been heard of in any country on the face of the globe. There were in custody on Saturday night 503 prisoners and 34 children, and the deaths for a week amounted to 44. The hospital was crowded to excess—a woman and six children were to be seen lying in one bed—persons were lying on the flags waiting for others to die, that they might seize on the portions of the bed occupied by them—and at that moment there were one hundred in fever of the most malignant kind. He would place that letter in the hands of the right hon. Gentleman, who, he hoped, would make use of it. He trusted the Government would recollect that forbearance could not go beyond certain bounds.

Sir WILLIAM SOMERVILLE said: Knowing, as I do, the humane motives which actuate my hon. Friend the Member for Rochdale in asking leave to bring in the Bill for the repeal of what is called in Ireland "the Quarter-acre Clause of the Irish Poor Relief Extension Act," I rise with considerable regret to oppose his Motion. But that regret is considerably diminished, if not indeed altogether done away with, when I think that my hon. Friend is mistaken, both as to the interpretation of the clause which he has brought under the notice of the House, and as to the effect which it has produced upon the country. My hon. Friend has chiefly directed attention to two most material points: first, the operation of the clause in preventing the poor from obtaining relief; and, secondly, the conduct of the landlords of Ireland in dealing with the peasantry under it. My hon. Friend says that it is impossible for a poor man, seeking relief under the provisions of the poor-law, to divest himself of the occupation of his land so as to qualify himself under the operation of this clause; and that when the poor man goes to the poorhouse to seek for relief, the landlord frequently comes and takes possession of his house from him in his absence. Now the poor-law has nothing to do with that state of things. If the poor man goes to the workhouse to seek relief, and that during his absence from his home his landlord comes and levels his house, I believe that he might have done just the same thing if the man had only gone to market or elsewhere. And now for the operation of the clause. Upon that subject I cannot do better than read two or three letters to the House, which will show the construction put upon the clause by the Commissioners, and the light in which they view its provisions; and they will show my hon. Friend how much he is mistaken in the view which he takes of it. Here is a letter which the Commissioners have written, as a sort of circular, whenever their opinion is required by the boards of guardians:—

"Poor Law Commission Office, Dublin,
February 7, 1848.

"Gentlemen—I am directed by the Commissioners for Administering the Laws for the Relief of the Poor in Ireland to acknowledge the receipt of your letter of the 4th instant, requesting the Commissioners' instructions as to your powers for affording relief to poor persons who have been in the possession of more than a quarter of an acre of land, with a house, and who have offered to resign possession of the land, but whose landlords refuse to receive possession of the land without a surrender of the house. In reply, I am directed to state that the mere refusal of a landlord to accept a surrender of land does not disqualify a person who has ceased to occupy a quarter of an acre of land from receiving relief. By the 10th Section of the Irish Poor-law Extension Act it is merely the occupation or non-occupation of a quarter of an acre of land which is made a criterion of destitution, provided that an applicant for relief may otherwise be deemed entitled to it. Hence the guardians, as far as that clause is concerned, are warranted in relieving anybody who is not in such occupation, and they are not bound to investigate title at all, or to ascertain whether the tenants' interest has been legally determined by surrender or otherwise.—I have, &c.

"H. HANLEY, Secretary.

"The Vice-Guardians of the Ballina
Union, Ballina."

Now, I think that all the guardians have to do is to inquire whether the person seeking relief has divested himself of the possession of all land exceeding a quarter of an acre; and, if he has done so, the guardians have a right to relieve him without reference to the landlord, agent, or any other person whatsoever. But a still further extension has been given to this interpretation. In a letter which is likewise directed to the vice-guardians of the same Ballina union, they are told by the Commissioners—

> "In every case that it should be fully and incontrovertibly proved that the applicant was still in possession before we deny him relief. On the other hand, we consider a certificate from the agent or bailiff to the effect that the applicant had given up possession, should be deemed conclusive and construed in his favour, unless the relieving officers had good reason to believe to the contrary."

Now, these instructions are acted upon, and, therefore, the objections of my hon. Friend upon that point will fall to the ground. Then as to the coming of the landlord to the tenant's house, and levelling it when the poor man was gone to seek relief. I find an account in the *Galway Mercury* of the 29th of January of proceedings before the vice-guardians of the poor-law union, where it was mentioned that several houses of poor people had been levelled during their absence in search of relief; and a report had been made to the Commissioners, in which it was stated—

> "There are but two witnesses as to the ejectments on Mr. St. George's property who could swear to the facts; the others stating that their houses had been thrown down when they were absent, and they could only speak as to their belief. It will appear from the evidence recorded that these forcible ejectments were illegal—that notices had not been served—that they were perpetrated under circumstances of great cruelty."

But it will be seen at once that such an act was not the result of the operation of this clause. We know not whether those poor people held five, or ten, or twenty acres of land. In fact, the people are in such misery that holders of forty acres might be in utter distress; and perhaps in even greater poverty and wretchedness than the poor small occupants. I have known instances of persons who had formerly been in affluence—I knew one instance of a person who had formerly been possessed of property to the amount of 300*l.* a year—being obliged to apply for relief under the poor-law. But these ejectments are illegal, and they are not attributable to the action either of the Poor Law Act or to that of the quarter-acre clause. My hon. Friend has alluded to a very distressing case of a poor person who was found devouring a raw sheep which was the property of a farmer who, although possessed of other property, was himself a recipient of relief. I believe my hon. Friend is mistaken in that story. I do not think it occurred as he has been informed. Something similar to it did occur in the month of November last, and the recipient of the relief then did receive the temporary relief under the inspection of Sir John Burgoyne. Having thus stated the reasons which induce me to oppose the Motion of my hon. Friend: considering, as I do, that under the operation of the clause a poor person having divested himself of the possession of land above a quarter of an acre is entitled to relief, and that the non-acceptance by the landlord of his surrender should not be pleaded in bar, and that if the landlord enters and levels the tenant's house he does not do it under the operation of the poor law: considering also that the operation of the Bill of my hon. Friend would give rise to the most enormous abuse, by occasioning the necessity for granting indiscriminate outdoor relief, and that the great masses of the country would be thereby reduced to the same state of pauperism which the poorer classes are now suffering under: considering that in such a condition of things you would have men, half paupers, half farmers, living half the year in the poorhouse, whilst their potatoes were growing, and then coming out when their potatoes were ripening: considering that such a state of things would be more demoralising to the country than the present: and considering that the Bill of my hon. Friend would unsettle the present state, and give rise to hopes that could not be gratified, making matters ten times worse than they are at present—I think I shall best consult the interests of both rich and poor in Ireland by asking the House to refuse its assent to the introduction of the Bill of my hon. Friend.

MR. FAGAN, in considering the construction put upon the quarter-acre clause by Her Majesty's Government, and that which his hon. Friend the Member for Rochdale put upon it, should say that his hon. Friend (Mr. S. Crawford) was borne out by the facts; and a large number of the people of Ireland agreed in opinion with him, and thought the quarter-acre clause the most pernicious and injudicious in the Bill. It should be remembered that for six weeks in every year a great portion of the people of Ireland were in a state of destitution; and it had been shown that 95,000 families, consisting of about 300,000 individuals, were existing upon holdings of less than a quarter of an acre. Why, if the provisions of the clause were fully carried out, all the workhouses of Ireland would not contain one half the number of the people so thrust upon them. They talked of the generality of outdoor relief in Ireland, but he contended that the ablebodied poor did not receive outdoor relief generally. There were many districts in his own locality, for instance, where no outdoor relief had been as yet admitted. He called upon the House to support the proposition of his hon. Friend.

MR. POULETT SCROPE said, that he had originally opposed the quarter-acre clause on its introduction, because he thought it would have a most injurious tendency, and would be made a method of effecting clearances by the landlords on a most extensive scale. The facts which had since come to his knowledge regarding its operation had convinced him that his original supposition was correct, and that it had been made a method of effecting clearances on a very large scale. At the time of passing the amended Poor Law Act, the Government ought to have introduced a measure which would have provided employment for those ablebodied people in some way, and not have thrown them upon the poor-law unions. It was a criminal mode of relief to give relief to thousands and tens of thousands of ablebodied people without obtaining any return whatsoever from them. It was scarcely anything but a continuation of the soup-kitchen system of relief of the last year. That was not the principle of the poor-law of Elizabeth. He wanted to see the poor-law system of England extended to Ireland. But in England the outdoor labour test was applied. That principle, which he believed to be wise, had been adopted in England—the principle of relieving the infirm poor by gratuitous relief, but of relieving the ablebodied by supplying them with work. But the principle adopted in Ireland caused a perfect waste of money. It might as well be thrown into the sea as expended under such a system. In a country where employment, or work of a reproductive character, might be found for the ablebodied poor more readily than in any country in the world—where they might be employed in the reclamation and cultivation of waste land, or in the repairing and making good those roads that had been destroyed by the unproductive public works of last year—there was no labour whatsoever directed. The propriety of employing the ablebodied poor had been urged on the Commissioners in Ireland, but it was denied by them. Every day the numbers of those ablebodied paupers became greater. And what would they be in the three months of summer? Last year there were about 740,000 receiving temporary relief during those summer months, and they would again be on the relief list. The law provided that they should not be allowed to starve. They should be supplied in some manner with food, and in the meantime a large portion of the country was going to ruin. The clearance system was now carried on in Ireland to an extent which showed how entirely the people were left at the mercy of the landlords. The farmer holding four or five acres of land was, after losing his potato crop, utterly unable to pay his rent. The landlord came down and seized on all the property he possessed; and what resource was left to such a man but to apply at the workhouse for relief? But yet the moment he entered the workhouse his former residence was demolished, and on again coming forth he found himself without any shelter or resource from permanent pauperism. [The hon. Gentleman read an extract from Swineford, in the county of Mayo, confirming this view of the state of the poorer classes.] The landlords had thus an interest in the poverty of their tenants, as it enabled them to regain possession of their land; and this would account for the fact that they gave much less employment than the House might naturally expect at the present period. By refusing to employ the poor tenants, they were obliged to seek workhouse relief, and the landlord was thus enabled to get their land into his own possession. The law as it at present stood, therefore, held out an encouragement to the landlords not to give employment. As an instance of the extent to which the clearance system was carried on at present, he might refer to the Kilrush union, in which no less than 6,000 notices of ejectment were served in the month of September last—a number equal to the whole population of the union holding less than twenty acres of land each. He thought it most unjust that the people should be expelled in this manner, without any means being held out by which they could obtain subsistence; and he should therefore feel it to be his duty to support the Motion of the hon. Member. He begged to add, that he proposed taking an early opportunity of again bringing forward a question which he had urged on the attention of the House on former occasions respecting the enormous extent of waste land in Ireland, and the facilities which it afforded for providing for those who were suffering under the pressure of famine.

MR. FEARGUS O'CONNOR said, that if he had any doubt as to the policy of the Motion of his hon. Friend the Member for Rochdale, it had been removed by the speech of the right hon. Gentleman the Chief Secretary for Ireland. The right hon. Gentleman set out by saying that his hon. Friend had misinterpreted the law; but the right hon. Gentleman ought to have recollected that the law had been framed for persons who were far more ignorant of its nature than his hon. Friend, namely, the landlords of Ireland generally. The invariable rule, however, was, that the landlords were to have the benefit of any misinterpretation of the law that might take place. The right hon. Gentleman did not deny that the landlords had taken advantage of that clause to level houses, and to exercise an illegal right; and yet he said that the working of the law would be perilled if the clause were struck out. Now, what could be a stronger proof of the incapacity of the Government than such an assertion; for the clause to which such vital importance was attached, was one not introduced originally into the Bill by the Government, but by the hon. Member for Dublin (Mr. Gregory)? The right hon. Gentleman appeared to have altogether forgotten the part of his hon. Friend's speech referring to tenants in common. He was prepared to trace the whole of the anomaly with regard to these holdings to the Legislature. The 40*s.* freeholders were introduced for political purposes; and, again, five or six tenants were admitted to hold in common under one lease and one stamp for the purpose of increasing the political power of the landlord. It was with the same object in view that they were now legislating also. But he would ask the House to look to the justice of this mode of proceeding. If a man were able to maintain his family without relief out of the poor-rates on a quarter of an acre of land, it followed that 1,000,000 of acres would support 4,000,000 of families, or 20,000,000 of persons, and therefore that the 15,000,000 of acres in Ireland ought to maintain a population of 300,000,000 of souls. If that were so, how did it happen that out of the present limited population of Ireland they saw thousands of victims dying every week of absolute famine? He could tell the right hon. Gentleman the Chief Secretary for Ireland, and the right hon. Baronet the Secretary of State for the Home Department, that there was nothing in history like the present condition of Ireland. If they read of 1,000,000 of people being slain in war, they would be driven almost to madness at such a sacrifice of human life; and yet they sat there discussing in calmness the policy of retaining that quarter-acre clause, by which equal destruction of human life was involved. He knew the feelings of the Irish people perhaps better than the right hon. Gentleman; and he could tell him, that if the House did not legislate more justly and more humanely for Ireland than they had hitherto done, there would shortly be an end to British dominion in Ireland. It was impossible that a just, a humane, and a sensible people could endure to be treated as the people of Ireland had been. They had heard much sympathy expressed for the poor English people who were sent over from France, and all that had been done in the way of providing them with food and clothing. But why, he asked, was there to be no sympathy whatever shown for the people of Ireland? He gave his cordial support to the Motion of his hon. Friend, though there was a part of the Bill, referring to mortgages and title-deeds, of which he could not approve. That, however, had nothing to do with the main object to be effected—the repeal of the quarter-acre clause. The main portion of his hon. Friend's speech had been wholly passed over by the right hon. Gentleman. The right hon. Gentleman had certainly contradicted his hon. Friend, but he had not attempted to disprove his arguments. He could tell the right hon. Gentleman that though he might prevail on the House to agree with him on this question, he could not prevent the Irish people from considering whether their interests were done justice to in that House or not.

Mr. CLEMENTS said, that in reply to what had been stated by the hon. Member who had just sat down, with regard to tenants in common, he believed there was nothing in the law which prevented them from giving up their land as well as other persons. Whatever opinion might be entertained by the hon. Gentleman with regard to the justice of this clause, he believed there would be but one opinion in the House as to their having as yet but very imperfect information with regard to its operation. He thought that he might say of the Irish Members generally, that they were most anxious to see the new poor-law brought fully and fairly into operation. A Motion had been lately before the House with regard to a revision of the unions and electoral divisions; and on that subject he should say that he thought they had received a very unsatisfactory answer from the right hon. Baronet. He had been asked by many English Members why they were not satisfied with the answer which the right hon. Baronet had given them, seeing that an inquiry was to take place; but his reply was, that the Poor Law Commissioners had already too much to do, and that it was impossible for them to undertake such an inquiry as was necessary for a complete revision of the Irish unions. If the right hon. Baronet meant to have the inquiry conducted with a view to the reduction of the areas of the unions, he could have no hesitation in saying so; but the right hon. Baronet carefully guarded himself against making any statement of the kind, and even expressly stated, in answer to the deputation of Irish Members, that he would not preclude himself from increasing the area of some unions, should he think it necessary. He, for one, would much rather not see the Commission appointed at all, unless it were granted with a view to the reduction of the areas of the unions, and until the right hon. Gentleman declared that the time had arrived to have the question fully and fairly gone into. In order that English Members might understand the real nature of this question, he would tell them that the unions in Ireland averaged three times the extent of the unions in this country. In Lincolnshire, where the complaints against the great extent of the unions were loudest, and where the unions were, he believed, larger than in any other part of England, the average area of the fourteen unions was 110,000; while in Ireland the average was 155,000 acres; and in Connaught, where the pauperism was greatest, the average area was 214,000. In Ulster, where the unions were the smallest in Ireland, the average area was 126,000 acres. In parts of the country where the most business was to be done, and where the distress was the greatest, the unions were largest, and the guardians—from the great distance which they had to travel in order to attend the workhouse—had less time to attend to business than in unions where less was to be done. For these reasons, he thought that, with the present size of the unions, it was impossible to carry out the poor-law in some of the western and southern unions, except by means of paid guardians; but at the same time he felt that they were in the habit of trusting too much in Ireland to the Government, and that a dependence on paid officers for carrying out the law would tend to aggravate this evil. Another point of great importance was, the state of the medical charities in Ireland. It was evident that the dispensaries, if supported out of the poor-rates, should be placed under the control of the poor-law guardians. Now, in England the area attached to each dispensary averaged 15,000 acres; but allowing 20,000 acres to each dispensary in Ireland, they should have 944 medical officers for the whole country. In addition to these they had 699 collectors of rates, and 816 relieving officers in 120 unions, so that each board of guardians would have an average of seventeen paid officers to transact business with every day that they met; and in some unions the number of paid officers would be twenty-four. As to the reduction of the size of the electoral divisions, he might say, that he, for one, was not in favour of a townland rating; but seeing that there were 66,700 townlands, and only 2,049 electoral divisions, in Ireland, he thought there were a good many points between both numbers at which an arrangement could be made. For his own part, he would prefer seeing things remain as they were, to the adoption of a townland rating, as he thought that nothing could be more fatal and impolitic than such an arrangement would prove to be. Englishmen were seeking to put an end to the law of settlement, because it was productive of hardship by forcible removals, and of enormous litigation between parishes; but in Ireland vagrants and others were chargeable upon the union at large, therefore there could be no objection to a diminution in the size of the electoral divisions. The electoral divisions ought to include within them those who had a common interest, and who were the best known to each other, which was not the case under the present system. He denied that this was a landlord's question, and urged that it was only by a proper organisation in this respect that relief could be duly administered to those who really required it.

SIR G. GREY must venture to express a hope that the ordinary rule of adhering to the question before the House might not be altogether lost sight of. If any Member happened to have entered the House after the beginning of the hon. Gentleman's speech, he could not possibly have imagined that he was speaking on a "Bill to Amend the Irish Poor Relief Extension Act, with a view to repeal the 10th Section, commonly called the Quarter-acre Clause." The fact was, the hon. Gentleman had given notice of a Motion which stood number four on the Paper; and, finding that the forms of the House would not allow him to bring it on, he was unwilling for hon. Members to lose the benefit of the speech he intended to make on that subject. But he must observe, that if this practice were adopted, it would prove most inconvenient, for it would absolutely prevent the House from proceeding with business; on this account the hon. Gentleman must excuse him if he did not enter upon the subjects he had discussed, seeing they would involve the House in a debate upon questions quite foreign to that submitted by the hon. Member for Rochdale. He would only say that the instructions to the commissioners to be employed in the revision of the boundaries of the electoral divisions were in preparation, and that he should be happy to communicate with the hon. Gentleman upon them, because he would then see more sanguine grounds for satisfaction than he seemed to possess at present. With regard to the Motion of the hon. Member for Rochdale, his right hon. Friend (Sir W. Somerville) had rightly stated the grounds upon which the Government objected to it. The subject had been repeatedly discussed in the last Session, when it occupied much attention. The clause was not, he admitted, in the original Bill for amending the poor-law. It had been proposed by Mr. Gregory, then Member for Dublin. Very full discussion took place; the Committee of the House divided upon it, when only nine Gentlemen, including the tellers, of whom six were English and three Irish, were found to oppose the introduction of the clause into the Bill. The circumstances under which the clause was proposed were more fresh in the recollection of hon. Members than they were now; but he might remind them that, at that period, there was a great deal of pauperism and suffering in Ireland more than there was now, although at the present moment there was much suffering in that country. The allegation at that time was that the land was not cultivated, and that people were receiving relief who possessed ten, twenty, or thirty acres of land, which they refused to give up to others who would cultivate it, in order that the general productiveness of the soil might be increased. These persons, in fact, were living at the public expense, and at the same time preventing the soil of Ireland being made available for the maintenance of the population. It was the general impression, therefore, that some such restriction should be imposed as this clause provided, in order to prevent a great public evil and inconvenience which was then felt to exist to a great extent. There might have been individual cases of hardship from the operation of the clause. That was quite possible; but he felt that if the restriction were removed, a door would be opened to a repetition of the evils which were felt to exist last year. The cases of hardship, however, cited by the hon. Member for Nottingham (Mr. O'Connor) had nothing whatever to do with the quarter-acre clause. The hon. Member said that parties applying for relief under the poor-law left their houses to go into the union workhouse, and upon their return they found them levelled. That might be so, but it had nothing to do with the question now under discussion. The quarter-acre clause did not compel the people to give up their houses; it only required them to give up the occupation of any land above the quantity stated in it. They were tenants at will, and no doubt in some cases landlords had exercised their power of levelling the houses. These cases might or might not be a proper subject of inquiry, but they had certainly no relation to the question. Yet, as far as he understood it, the whole case of the hon. Member for Rochdale rested on this allegation. His right hon. Friend had shown that by the construction put upon the clause by the Poor Law Commissioners, if a landlord refused to accept a legal surrender of the land, as a bar to relief, when the party was willing *bonâ fide* to give up the occupation—in all such cases, the refusal to accept the surrender was not held to be a bar to relief. The guardians of unions, acting upon this construction, had given relief to parties who had given up their occupations under these circumstances; and the Government concurred in the views so taken. Hon. Gentlemen were in error when they stated that the Government relied exclusively upon the operation of the poor-law for the maintenance of the poor. It must not be forgotten that at this very time there was a very large charitable expenditure going on in connexion with the poor-law, and in aid of the rates, by which much suffering had been prevented, and many lives saved. From returns received it appeared that in January last about 94,000 or 95,000 or nearly 100,000 persons, including children, were found with daily rations through the instrumentality of the poor-law in connexion with the agency of the British Association. By another return it appeared that the aggregate number relieved in the unions where distress was greatest amounted to 150,000; and, in addition, there was an expenditure of 20,000*l.* per month from the British Association. He would not advert to the means of relief by the land improvement loans. He only wished not to be supposed to acquiesce in the statement that the poor-law and the union rates were the only means for relieving destitution. He did not deny the fact of the gaol at Galway being inconveniently crowded, and, as far as health was concerned, crowded to an alarming degree; but he was reported to have said that application had been made to the Lord Lieutenant for temporary relief, and that it was refused on the ground of expense. What he stated was, that the gaol was inconveniently crowded, and that he was impressed with the conviction that the Lord Lieutenant was most anxious to provide such temporary accommodation as could be legally provided by means of the hulks, in order to relieve the pressure upon the gaol. He repeated, he did not deny the fact of the gaol being inconveniently crowded; but he did deny any indifference on the part of the Lord Lieutenant to remedy the inconvenience, by providing all the temporary accommodation in his power.

Colonel CONOLLY opposed the Motion, and said the landlords of Ireland had not profited by the quarter-acre clause. To say they had was a grossly unfounded aspersion upon them.

Mr. E. B. ROCHE contended, that there was an inconsistency in the grounds assigned by the right hon. Baronet the Secretary for Ireland, and the right hon. Baronet the Home Secretary, for their opposition to this Bill. One opposed it for the benefit of the paupers, the other for the benefit of the landlords. It was impossible to reconcile the two arguments. Never was a greater calumny uttered, than to charge the landlords of Ireland with being exterminators of the people. It was the British House of Commons and the British Government that were liable to this charge, as he would undertake to show. The potato crop having failed, the people had no other resource than the poor-law; but what did the House of Commons and the Government do? Why, they passed a law, prohibiting any relief being given until the people who required it gave up their land. They, therefore, were the real exterminators. The British House of Commons and the English Government were greater exterminators and greater criminals than the Irish landlords. It was very important there should be no disguise on this question, for we were in an age of social revolution. The right hon. Baronet said, only three Irish Members voted against the Gregory Clause. He should have voted against it himself, but he was called away to Ireland by the famine which prevailed there at that time, as were other Irish Members; and it was during their absence that the Government assented to the introduction of the clause, which was not in the original Bill. He repeated that we lived in an age of social revolutions, and that small as the question now appeared, and thin as the House then was, it would grow into a mighty question, demanding their most serious consideration. The right hon. Gentleman the Secretary for Ireland had called upon them to support this clause, because he said, if it were repealed, the poor man would sell his potato one half-year, and would go into the workhouse during the other half-year. He denied that such would be the case—there was nothing of which the Irish poor had a greater abhorrence than the workhouse; and he knew that the majority of them would rather die by the ditch side than enter it. He did not wish to detract from the merits of the British Association; but, at any rate, he must say, that the Irish representatives were reminded often enough that they were beggars. After all, however, what was the most it did? It was a pittance doled out to a few, or perhaps a number of children, who were supported at school. No doubt it was good as far as it went. No doubt as coming from private individuals it was good, gracious, and charitable; but it was not a subject which a British Minister in a British Parliament should be continually holding up before their eyes; because it was a private charity, and it was not meeting an imperial misfortune from the imperial resources.

Mr. AGLIONBY looked upon the clause as one of the most monstrous that had ever been introduced into an Act of Parliament. If Ireland were not what Ireland was, such a clause never would have been introduced. It was a peremptory clause. Like Procrustes' bed, it could not be stretched. A man and his whole family might die in a ditch, and no power on earth could relax it at the moment. What were the terms of the clause?—

> "And be it enacted, That from and after the first day of November next, after the passing of this Act, no person who shall be in the occupation of any land of greater extent than the quarter of a statute acre shall be deemed and taken to be a destitute poor person under the provisions of the first-recited Act, or of the Acts amending the same, or of this Act; and if any person so occupying more than the quarter of a statute acre shall apply for relief, or if any person on his behalf shall apply for relief, it shall not be lawful for any board of guardians to grant such relief within or out of the workhouse, unless such applicant for relief shall bring satisfactory proof that he has surrendered to his reputed immediate landlord, or his known agent, the actual possession, and whatsoever right or title he may have had to the occupation of all and any such land over and above the extent of one quarter of a statute acre, and the occupation thereof, which surrender the landlord shall be required to accept, provided it shall include the entire of the holding held by such applicant in one holding from the same landlord."

In many cases, he contended the poor tenant could not give up his land, where, for example, misfortune came upon him on a sudden, or where he held in common with others; and in such cases no relief could be extended to the poor starving man. Upon the question of the poverty of those poor tenants holding small amounts of land, it might not be out of place to extract a paragraph from the report of the Committee upon Captain Wynne's letters. The Committee unanimously reported—

> "We are convinced that much of the misunderstanding between the inspecting officers and the relief committees, and of the complaints on both sides, have arisen from the inspecting officers having adopted one rule and principle on which to judge of the destitution of applicants; the committees another. The former took, as a *primâ facie* test, the mere facts of occupation of land and possession of cattle, being rarely able to check this test by local inquiries; the latter treated those facts as no positive guides; they acted upon the representations of members of their body, or others acquainted with the applicants and their neighbourhood; also upon inquiries from the applicants themselves; in this, however, they were no doubt frequently misled by erroneous information. In like manner, the mere fact of having land and cattle frequently led to erroneous conclusions, the applicants so situated being often in as great destitution as those who had none; in many cases the land was for the time unavailable; its crop had failed, and no food was produced from it; the cattle also could afford little or no relief; they likewise had suffered from want of food, and were in too poor condition for sale, even had purchasers been found in possession of money wherewith to buy. In many instances the committees acted upon the reasoning, that to refuse employment on the works to persons being barely above destitution, must have produced irretrievable ruin, which temporary relief might perhaps avert."

He hoped, notwithstanding the large majority which had sanctioned the introduction of this quarter-acre clause into the Bill, that the House would not allow humanity to have fair play, and that it would give that protection to the poor and destitute of Ireland which they would be ashamed to refuse to the poor of this country.

Mr. R. M. FOX thought that the hon. Member for Cockermouth had not paid much, or perhaps any, attention to the speech of the right hon. Gentleman. From that speech he might have learnt that it was practicable for the holders of quarters of acres of land to give up their holdings; by giving up a small portion of their land they might entitle themselves to relief. He was as much opposed as any one could be to maladministration of the law; but without the clause now under consideration, he did not see how any board of guardians in Ireland could do their duty.

Mr. REYNOLDS would support the Motion, because he believed it was intended to apply a remedy to a most obnoxious piece of legislation. In the present Motion, a question of great importance was involved: the question was this—Was pauperism to be increased or to be diminished? He thought that he had a particular right to speak to the present question, for his predecessor in the representation of the city of Dublin was thrown out in consequence of his support of that clause, and he himself had been returned partly on account of his opposition to it. The right hon. Gentleman had placed the clause in the most favourable light—nevertheless the most he could say was, that the tenant possessed the power to divest himself of the disqualifying tenure of the land; but, surely, every one must see that if a poor man yielded to such a temptation, it being done to any great extent must be a fruitful source of increased pauperism. Thus it was said that a man holding ten acres of land might qualify himself for relief by surrendering 9¾ acres. If the law afforded him temporary relief they might get over temporary difficulties, but the clause, as it stood, did nothing of the sort. The hon. and gallant Member opposite had addressed himself very fairly to the subject, and deserved great credit for the view of it that he he presented to the House. The quarter of an acre clause appeared to have been prepared for the particular benefit of the landlords, and furnished them with a powerful weapon for dispossessing the poorer sort of tenantry.

Mr. MONSELL concurred in the statements made by the hon. Member for Rochdale in reference to the destitution and distress prevailing in Ireland, but could not agree with the hon. Gentleman in attributing those lamentable results to the clause in the Irish poor-law which had been referred to. He believed that the repeal of the clause would be beneficial to those jobbing landlords whose conduct had been animadverted upon, for they would endeavour to get their tenants and dependents on the poor-rate, for the purpose of getting their rent paid by such means. A greater premium could not be given to those gentlemen, whom he believed to be the greatest curse of Ireland, than by assenting to the proposition of the hon. Member for Rochdale. It was complained that the poor-law in Ireland was insufficient to relieve the poor already thrown upon the funds, and yet it was now proposed to throw upon them an additional class of claimants. It could not be expected that the poor-law in Ireland would remove all the distress which had been referred to; and there never was a greater mistake than the introduction of the poor-law by itself. It ought to have been accompanied by other measures, for the reclamation of waste lands, and for systematic colonisation. He conceived that the anticipations of the noble Lord, that the extension of the poor-law would have the effect of encouraging employment in Ireland, and developing the industry of that country, had entirely failed. With respect to the clause under discussion, it was the opinion of a learned gentleman in Ireland, whose authority was entitled to weight, that any person having more than a quarter of an acre of land, who offered to give it up, was entitled to relief. Therefore it could not be contended that any individuals so situated were deprived of the means of relief.

Mr. WAKLEY said, that that might be the opinion of a learned barrister, but it appeared to him that the clause was positive and decided, and that if a board of guardians were to grant relief to persons possessing more than a quarter of an acre, they would be liable to proceedings for a misdemeanor. The law was a sentence of death against these poor creatures, and this was done in a mean, cowardly, and dastardly manner. Why not consign them at once to destruction? Under this clause the guardians of the poor had not the power to grant even medical relief to a family struck with disease and destitution, if they were so situated as to come within the terms of that clause. In bringing this subject forward the hon. Member had done benefit to the poor, though he should hardly say that, for it was useless to discuss the grievances of the poor in that assembly. The House was composed of rich men and landed proprietors, and had not that sympathy for the poor which ought to be felt. Such apathy was fraught with danger. Gentlemen, who called themselves Conservatives, acted on that principle; but, at the bottom, it was a most destructive principle. According to all the accounts which they heard in that House, Irish gentlemen appeared to be very unhappy and very unfortunate; but he wished they would change places with the poor. Let them experience what was the actual condition of the poor, and then, he thought, they would adopt a different course in their legislation in that House. They would then be induced to sympathise with the poor, and take measures to promote their welfare. But, at present, the case was different. Instead of applying remedies to the condition of the poor, pains and penalties were added to it. It was contended, that the Irish were an idle people. He believed that to be one of the foulest calumnies ever uttered. They found that, in London, Irishmen performed work which Englishmen could scarcely execute. But, in London, their food was different from that which they obtained in Ireland. They were not simply fed on potatoes in London, and they obtained wages in this metropolis which enabled them to perform their laborious work with alacrity and cheerfulness. The fact was, that the Irish labourers were starved in their own country, and the Irish gentry ought to endeavour to give them, by some means, profitable employment in Ireland. If the Irish gentry would not employ the people, the consequence would be that the people would take possession of the land. [*Laughter.*] Hon. Gentlemen might laugh, but that would be done. It was inevitable. They surely did not expect the people to be content to lie down and perish. It was the duty of the population to resist ill-usage of which they were the victims; and he trusted that the House would pursue a different course of legislation from that hitherto adopted in respect to the sister country. He, for one, should not object to give to the Irish Gentlemen an opportunity of legislating for their own country. Only he should like to see them more united among themselves, more decided in their opinions, shifting less with the Government of the day, and not relying on the Whig or Tory factions, but on the good sense of the people. He did not believe that England or Ireland had much benefited under either of these parties, and he would take the rule out of the hands of the aristocracy. ["Oh, oh!"] They might express dissent, but it was his duty to his own feelings and to his constituents to make that statement. Had he witnessed in that assembly sympathy for the distressed people, and a desire to remove their evils, no such statement would have been heard from him. The hon. Member for Rochdale had not the good fortune to be a Duke, a Marquess, or a noble Lord, and consequently it was unavailing in him to bring forward any proposition for the benefit of his poor country. Had he been more highly connected, there would have been greater favouritism manifested with respect to his opinions. But he was only a practical, kind-hearted, and worthy man. Yet on that account it might have been supposed that his measures, being of a practical nature, would have received the sanction of that House. The hon. Gentleman had tried his hand at legislation; and, nevertheless, he (Mr. Wakley) was not aware that the hon. Gentleman could now put his finger on any one Act of Parliament, or any section of an Act, that he could call his own. What was the use of his hon. Friend fretting his hours away in that assembly? The Government had pretended to adopt his principles with respect to the landlord and tenant question; but they had adopted them in such a way, and created such a network of difficulty, that they could scarcely get out of it themselves. In November last, when a proposition was made for carrying a Coercion Bill for Ireland, he suggested that it was not just to pass it without adopting remedial measures. The House was told that those measures would be forthcoming; but where were they? They were still in process of preparation; and when they came forth, would they be of a radical nature, and strike at the root of the social evil in Ireland? He answered, no. Would they touch the Protestant Church in that country, which had been called by the Irish Roman Catholics, and used to be designated by the right hon. the Master of the Mint (Mr. Sheil), the monster grievance of Ireland? He answered, no; and thus things would proceed, until at last misery and wretchedness, disease and death, would create such discontent in the minds of those who beheld them, and spread such indignation and resentment among millions, as would endanger even the existence of the Throne itself.

MR. HENRY DRUMMOND asked the hon. Gentleman whether he supposed the evils of Ireland had originated since any one, now a Member of that House, had first had a seat in it? If he referred to Mr. Madden's *History of Ireland*, he might change the date from 1848 to 1648 —nay, he might go further back —to the description of the state of Ireland in the time of Henry II., and find the picture with respect to the evils of Ireland exactly to suit the present day. He must say, when he heard Gentlemen talking of their own humanity, that he was satisfied there was not a Member of that House who was not striving to do everything in his power to benefit the people of Ireland. He considered, then, that it was not fair on the part of any hon. Gentleman to presume that all the humanity was on one side of the House, and all the cruelty on the other. Why, the poor-law was made by the Radicals. When a semi-Radical semi-Whig Government came into office, the then Chancellor of the Exchequer (Lord Althorp) introduced that law. Under the previously existing law there were persons in every parish who were bound to see that the poor were relieved; but the new Radical, political, economical law appointed persons who "may" afford relief. There was only a difference in the sign of a tense—a difference between the potential and the imperative mood; but that was a most important difference to the poor man. If the House assented to the proposal of the hon. Member for Rochdale, what limit would they impose as to the persons who were to be entitled to relief? Would they allow persons who possessed half an acre, or two, three, four, or five acres of land, to receive relief from the poor-rates? He knew that many hardships must occur under the administration of the poor-law. He might mention that a tenant of his own in this country, who formerly rented a farm of 500 acres, had had to apply for relief, but before he could obtain it, he was compelled to sell the whole of his stock, and to part with all his property, and he eventually died in a workhouse. He thought it was clear that some hon. Gentlemen were not very well informed as to the actual condition of Ireland. It was perfectly true that there were many persons who deserved the strong language which had been applied to the Irish landlords; but the word "landlord" had in Ireland two significations, and there were many landlords in that country who were no more deserving of being stigmatised as they had been than were the landlords of England and Scotland.

Colonel DUNNE observed, that it must be obvious to any one who had watched the administration of the poor-law in Ireland that numerous cases of individual hardship occurred; but, if the right to relief were to be extended to all classes, it was impossible that the country could support the burden.

Mr. MORGAN J. O'CONNELL said, the clause to which the attention of the House had been called was very unpopular in Ireland; but those who denounced that clause did not consider what would be the state of the country if relief were to be extended to all persons. He must say he saw no reason to repent of the support he had given to the clause when it was introduced by Mr. Gregory, then Member for the city of Dublin. He might lose popularity in consequence of supporting this clause; but he thought there were times when men should discharge their duties conscientiously, even if they thereby incurred unpopularity. The cases of hardship to which reference had been made, had evidently resulted from a misapprehension of the law. A notion had existed that persons must divest themselves of all title to land before they could obtain relief; the meaning and intention of the law being that persons who applied for relief should not be in the occupation of land. He believed, however, that the discussion which had taken place would prevent any misapprehension on the subject in future. Several cases of cruelty had been mentioned which were said to have occurred in the west of Ireland. He could only say that those cases called for something more than inquiry on the part of the Government; and as the commissioners appointed to inquire into the matter had declared that the acts of the landlords had in certain cases been illegal, he conceived that the Government would neglect one of their highest duties if they did not take steps to punish the perpetrators of such illegal acts. It was the duty of the Government to punish the persons—whether bailiffs or landlords, peers or peasants—who had been guilty of agrarian outrages of a character far worse than those which had been committed in Tipperary or Roscommon, because they had been perpetrated by men who had not the same reason to be unobservant or reckless of the laws of the land. He trusted, then, that the Government would bring to punishment those who had brought the law into disrepute by illegal and grossly unjust conduct. His firm belief was, that if they were now to remove the limit imposed on the grant of relief to persons occupying land, instead of benefiting the country, they would inflict on it a great and irreparable injury. The hon. Member for Stroud (Mr. P. Scrope) had expressed his wish to see the labouring population of Ireland employed upon reproductive works. In much that that hon. Gentleman had said, he (Mr. O'Connell) concurred; but he certainly considered that nothing was more likely to prevent the labouring population of Ireland from being employed upon reproductive works than the maintenance of a system which kept up a class of persons who were neither labourers nor farmers; and he would be sorry to see superadded to that mixed character of one-third farmer and one-third labourer the additional character of one-third pauper. While he greatly respected the motives which had induced the hon. Member for Rochdale to bring this subject forward, he should feel it his duty to vote against the Motion.

Mr. S. CRAWFORD replied. It had been said that the harsh and unjust acts which had been referred to were not committed under the law. That might be the case; but they were committed under colour of the law, for the existing law aided the landlords in carrying out their illegal objects. The practical operation of the law was to compel the poor man, when he required relief, to give up his house as well as his land, because the landlord would not accept one without the other.

The House divided:—Ayes 21; Noes 114: Majority 93.

List of the Ayes.

Aglionby, H. A.
Blake, M. J.
Devereux, J. T.
Fagan, W.
Fox, W. J.
Greene, J.
Henry, A.
Keating, R.
Meagher, T.
O'Brien, J.
O'Connor, F.
Power, Dr.
Rawdon, Col.
Reynolds, J.
Roche, E. B.
Scrope, G. P.
Scully, F.
Somers, J. P.
Sullivan, M.
Talbot, J. H.
Wakley, T.

TELLERS.

Crawford, W. S.
O'Flaherty, A.

List of the Noes.

Acland, Sir T. D.
Adair, R. A. S.
Anstey, T. C.
Archdall, Capt. M.
Armstrong, Sir A.
Bagshaw, J.
Bellew, R. M.
Blackall, S. W.
Bourke, R. S.
Bright, J.
Brockman, E. D.
Brooke, Sir A. B.
Brotherton, J.
Bruce, C. L. C.
Buller, C.
Bunbury, W. H.
Bunbury, E. H.
Burke, Sir T. J.
Busfeild, W.
Buxton, Sir E. N.
Campbell, hon. W. F.
Carter, J. B.
Childers, J. W.
Clay, J.
Clements, hon. C. S.
Clifford, H. M.
Codrington, Sir W.
Coles, H. B.
Compton, H. C.
Conolly, Col.
Courtenay, Lord
Deering, J.
Drumlanrig, Visct.
Drummond, H.
Dunne, F. P.
Evans, W.
Farrer, J.
Ferguson, Sir R. A.
FitzPatrick, rt. hn. J. W.
Forster, M.
Fortescue, C.
Fox, R. M.
Fuller, A. E.
Gibson, rt. hon. T. M.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Gwyn, H.
Hall, Sir B.
Hamilton, G. A.
Hayes, Sir E.
Heald, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Hildyard, R. C.
Hodges, T. L.
Hood, Sir A.
Jones, Capt.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Littleton, hon. E. R.
Locke, J.
Lowther, hon. Col.
Macnamara, Major
Maitland, T.
Martin, C. W.
Masterman, J.
Matheson, Col.
Maxwell, hon. J. P.
Miles, P. W. S.
Monsell, W.
Nugent, Sir P.
O'Brien, Sir L.
O'Connell, M. J.
Paget, Lord A.
Paget, Lord G.
Parker, J.
Pilkington, J.
Plumptre, J. P.
Power, N.
Raphael, A.
Rich, H.
Salwey, Col.
Seymer, H. K.
Sheil, rt. hon. R. L.
Shirley, E. J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. B.
Somerville, rt. hn. Sir W.
Stafford, A.
Stanley, E.
Stanton, W. H.
Stuart, Lord D.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Tollemache, J.
Turner, E.
Tyrell, Sir J. T.
Verney, Sir H.
Vesey, hon. T.
Walmsley, Sir J.
Walter, J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Wood, rt. hon. Sir C.
Wyld, J.

TELLERS.

Tufnell, H.
Hill, Lord M.

Leave refused.

House adjourned at a quarter to Ten o'clock.

HOUSE OF LORDS,

Friday, March 10, 1848.

Minutes.] Petitions Presented. From Harlow, complaining of the present Burthen of Taxation and against any additional Expenses being incurred for the Defence of the Country.—From Ashton-under-Lyne, for the Enactment of Sanitary Measures.—From Shipowners, and others, of South Shields and Dundee, against any Alteration in the Navigation Laws.—From Van Diemen's Land, against any further Transportation of Convicts to that Colony.

HOUSE OF COMMONS,

Friday, March 10, 1848.

Minutes.] New Writs.—For Lincoln City, *v.* Charles Seely, Esq., void Election;—For Monmouth County, *v.* Lord Granville Somerset, deceased.

Public Bills.—3° and passed;—Passsengers.

Petitions Presented. By Mr. W. Beresford, from Essex, against, and by Lord J. Russell, from several Places, in favour of, the Jewish Disabilities Bill.—By Viscount Ingestre, from Wombourn and Trussell (Staffordshire), complaining of the Conduct of the Roman Catholic Clergy (Ireland).—From Attorneys-at-Law, residing at Taunton, for a Repeal of the Duty on Attorneys' Certificates.—By Mr. Reynolds, from Dublin, for Abolition of Ministers' Money (Ireland).—By Mr. Cobden, from Stafford (Bedfordshire), and other Hon. Members, from several Places, against a Continuance of the Property Tax.—By Mr. Mowatt, from an Independent Order of Odd Fellows (Falmouth), for an Extension of the Benefit Societies Act.—By Alderman Thompson, from Kirkby Lonsdale, against the Diplomatic Relations with the Court of Rome Bill.—By Mr. Maxwell, from Castletarra, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Cobden, from several Places, for Retrenchment in the Naval and Military Expenditure.—By Colonel Kemeys Tynte, from Bridgewater, for an Alteration of the Poor Law.—By Sir Arthur Brooke, from Fermanagh, for an Alteration of the Poor Law (Ireland).—By Mr. Brotherton, from Salford, and by Mr. Muntz, from Birmingham, for Alteration of the Public Health Bill.—By Mr. Duncan, from the Parish Schoolmasters of Forfarshire, for Ameliorating the Condition of Schoolmasters (Scotland).—By Mr. Walter, from Nottingham, for an Alteration of the Law of Settlement.

NEW SOUTH WALES.

Mr. F. SCOTT wished to ask whether the Government had any intention of making any, and what, change in the constitution of New South Wales; whether any communication of such an intention had been made to the Legislative Council of the colony, in order to obtain the opinion of the colony upon such a proposed alteration; and if so, whether the Government would lay the papers before Parliament?

Mr. LABOUCHERE replied, that a representation had been made from Australia to Her Majesty's Government, strongly urging the propriety of separating New South Wales from Australia. The noble Lord at the head of the Colonial Department hoped to be able to propose a measure for effecting that object. The noble Lord had it also under consideration whether it might not be expedient at the same time to introduce certain other alterations into the constitution of New South Wales.

THE INCOME-TAX.

On the Order of the Day for the House to resolve itself into a Committee of Ways and Means,

Mr. HUME said, he would take that opportunity of correcting an error which the hon. Baronet the Member for the Tower Hamlets had made in his speech in the House, and which he had afterwards repeated in a letter to the *Times*. The hon. Baronet said that he opposed his (Mr. Hume's) Motion because it would create a deficit of 7,000,000*l*., and that that would endanger the credit of the country. He (Mr. Hume) begged to state, in answer to the observations of the hon. Baronet, and to remove all doubt, that the actual deficit of the past and present year was 4,800,000*l*.; and that, supposing the expenditure to be carried out on the scale which the noble Lord laid down in his budget, there would be only that deficiency. He begged, at the same time, to impress on the House, that, whether they voted the continuance of the tax for one year or two, that Motion would not affect the credit of the country, or take away 1*l*. from the means of filling up that deficiency.

House in Committee of Ways and Means.

Mr. JAMES WILSON said, the question before the House was, whether the income-tax should continue for one year, or three years; but after the very effective speech of the right hon. Baronet opposite on Monday night, and the speeches of the noble Lord the Member for King's Lynn and the hon. Member for South Warwickshire, it was quite evident that that was the stage in which it was the intention of the House to consider the whole question of our financial and commercial policy, and more especially with regard to the course taken in 1842, and confirmed in 1845, and upon which he apprehended the House had then to decide whether they were willing to go on, or to revert to the old system. The question before the House involved the question of the success of that policy. He was quite aware, after hearing the speeches of the hon. Member for South Warwickshire and the noble Lord the Member for King's Lynn, that those hon. Members and the Gentlemen who usually acted with them, referred the present distress of the country to the measures that were introduced by the right hon. Baronet. Now, if he understood the policy adopted by the right hon. Baronet in 1842, and confirmed by the House in 1845, it involved two great public questions—that of finance, and that of commerce. He should propose, in the first place, to make a few observations upon the financial effect of that policy, because he believed that that was the object which the right hon. Baronet then had principally in view. It was hardly necessary that he should remind the House of the state of our finances in 1842, when the experiment was first made. The right hon. Baronet had so effectively done that on Monday night, that it was unnecessary for him to do more than refer to it. But he believed it was admitted on all hands, and was professed by the right hon. Baronet himself, that in imposing the income-tax in 1842 he had two distinct objects in view. The first was, to raise the financial condition of the country; and the second was to relieve the springs of industry, in order that from the ordinary sources of revenue the income might, in the course of a moderate time, rise equal to the expenditure. The first point then for the House to consider was, how far those two objects had been attained since

1842? In that and the four successive years the right hon. Baronet had reduced or repealed the following amount of taxes:—

In 1842 . .	£1,590,000
1843 . .	411,000
1844 . .	407,000
1845 . .	4,749,000
1846 . .	740,000

Making a total in those five years of no less a sum than 7,897,000*l.* He thought it required no observation on his part to convince the House what a relief the removal of those taxes must have been to the industry of the country. But against that amount the right hon. Baronet had imposed the income-tax, which he would put at 5,500,000*l.*, leaving a clear annual profit of 2,400,000*l.* in favour of the public. But, notwithstanding that extraordinary reduction, would the House allow him to call their attention to the state of the actual produce of the Customs and Excise duties in 1842, when that policy was commenced, and in 1847, the last year that it had been in operation? In 1842 the whole of the Customs duties amounted to 23,515,374*l.*, and the Excise duties to 14,602,847*l.* making together 38,118,221*l.* In 1847, notwithstanding the reduction of 7,897,000*l.*, the two amounted together to 37,290,459*l.*; so that, notwithstanding the extraordinary reduction to which he had referred, such had been the effect of those reductions on the commerce and industry of the country that the revenue had risen to within 700,000*l.* of the total of the former revenue. The next thing to which he would call the attention of the House on the financial operations of that policy, was the effect it had had upon the debt of the country. In the first place, he would refer to the amount of the deficiency bills the Government were obliged to rely on receiving from the Bank of England, in order to pay the dividends on the debt. In 1842 the Government paid the Bank of England no less a sum than 100,000*l.* for interest on the deficiency bills—interest for money borrowed to pay the public creditors—and when the Government were not in a position themselves to pay. On the 5th of January, 1842, the amount of deficiency bills the Government were obliged to receive advances on from the Bank of England was 6,600,000*l.*; in 1843 it was 8,560,000*l.*; and that increase arose from the fact that a very small portion of the income-tax was then paid; and therefore, although the Government were perfectly justified in relying upon the amount of that tax during the following six months, yet on the 5th of January, the new tariff having been in operation twelve months, only 200,000*l.* had been received on account of the income-tax. In 1844, however, the deficiency bills had decreased in amount to 5,462,000*l.*; in 1845 to 2,095,000*l.*; in 1846 to 280,000*l.*; and in 1847 the Government were in a condition to pay the whole of their liabilities without receiving one fraction of accommodation from the Bank of England. He thought, when they had heard so much in the commercial world of all the inconvenience to which it was exposed by the Government relying on the Bank of England at stated periods for a large amount of accommodation, it could not be considered a small advantage that the Government were able, within the period he had mentioned, to relieve the Bank of that requirement of aid and assistance. Whilst, therefore, they had reduced taxation to an amount of nearly 7,000,000*l.*, they had also, by that policy, cleared away what he might call an unfunded debt of no less than 6,000,000*l.* Again, he found that in 1842 the amount of the funded debt was 738,000,000*l.*; in 1847 it was 724,000,000*l.*, showing that, in the same period, there was a reduction of no less than 14,000,000*l.* sterling, making a total reduction in the debt of the country of 20,000,000*l.* There was, moreover, an annual saving in the charge of the country of 9,834,825*l.* The right hon. Baronet had effected an annual saving, on the

Funded debt, of . .	£1,295,580
On the cost of management, of .	68,612
For interest on deficiency bills, of	98,600
For interest on Exchequer-bills, of	475,033
And for reductions in the Customs and Excise duties, of . .	7,897,000
Making together .	£9,834,825

So far, therefore, as the financial effects of the policy of the right hon. Baronet were concerned, he thought they had no right to be dissatisfied. Then with respect to the commercial consequences of that policy. It must be in the recollection of all hon. Members in that House, that in 1842 the commerce of the country was in an extremely prostrate condition. The amount of the exports in that year was only 47,000,000*l.*, whereas in 1836 it had increased to no less than 57,000,000*l.* They had heard a great deal of the effect which their policy would have on Continental countries. They held out, he admitted, hopes to the hon. Gentlemen opposite, that if they were willing to relax their tariff, they would find that other nations were ready to meet them on terms of reciprocity. He admitted that, with him, it was not a very important consideration whether those nations reduced their tariffs or not, if he could have the gratification of seeing the result of the efforts of this country; but he had yet to learn that it was wise in us to do an injury towards ourselves merely because other nations were foolish enough to persevere in what we thought was an unwise course towards their own subjects. However, notwithstanding the boast that was frequently made, that whilst we had relaxed our tariff, foreign countries had only made their tariffs more stringent, he found that the exports had increased to those countries where the tariff was most stringent. In 1842 the exports to the whole Continent of Europe were 20,000,000*l.*; in 1846 they had increased to 27,000,000*l.*, being an increase in four years of not less than 33 per cent. That was a most satisfactory result. But he thought it would be enough to say that we had passed through two years unparalleled in the history of the world—unparalleled considering the variety of causes that combined during that period to prostrate the condition of the country, and, he was sorry to say, of the whole of Europe also. We had not had famine in this country alone; there had been a severe famine in the neighbouring States of Europe, in the whole of the western and southern, and some of the northern provinces of Europe; and those countries from which we were in the habit of drawing in former years supplies for our own subsistence, when our harvests were bad, were obliged to come to the farmers of Lincoln and Norfolk and other places in this country to purchase corn for themselves. No wonder, then, that we had found their ability somewhat less to purchase our manufactures. But were there any means by which they might compare the extraordinary depression of the last two years with that of any other former period? They all remembered 1839—the consequences of the bad harvest in that year produced political disorganisation, and the Bank of England was reduced to such a state by adverse exchanges that it took at least four years before commerce showed the slightest symptom of revival from the prostration. But let them look to the quantity of grain that was imported at the time. It was 3,000,000 quarters. But in 1847 it was 12,000,000. Judging, then, by that increased quantity of imports, he should say that if the consequences had been more severe than we had yet known, or, he hoped, we should know them, they might have been expected from the circumstances of the times. But not only was that quantity of grain imported, but other articles of food were also imported, showing that an extraordinary scarcity of food prevailed. He confessed that when he referred to these things, he could not but tender his gratitude to the right hon. Baronet for having rendered it possible for this country, in the circumstances she had been labouring under during the last two years, to import those articles which, before 1842, were entirely prohibited. Before 1842 live animals were entirely prohibited from being imported; but, in 1845, 34,000 head of cattle were imported; and, in 1847, 216,000; and yet, with that large importation, it had been an universal complaint in all parts of the country that animal food was never so inconveniently dear as during that period. Prior to that time, too, there was a prohibition against provisions usually known by the term of "meat of various kinds." By the tariff of 1842 the restrictions were taken off some, and on others the duties were reduced; and the consequence was, that although in 1845 only 130,000 cwt. were imported, in 1847 the quantity had increased to 461,000 cwt. Then as to butter and cheese; in 1845 the quantity of butter imported was 254,000 cwt.; in 1847 it was 314,000 cwt. Of cheese, in 1845, the quantity imported was 268,000 cwt.; in 1847 it was 355,000 cwt. Of grain, the quantity imported in 1845 was 2,162,644 quarters; in 1847 it was 9,437,034 quarters; and of flour, in the year 1845, it was 953,000 cwt.; in 1847, 8,637,000 cwt. Then, bad as was the whole condition of the country at present, and melancholy as were the accounts from the manufacturing districts, what would they have been if the sliding-scale had prevented the importation of a large quantity of grain, and that entire quantity of live animals, and a large portion of animal food? With respect to the large quantity of imported grain to which he had referred, he was prepared to contend that under the sliding-scale, although it had been professed to be an ingenious device by which corn was admitted when prices were high, nothing like that quantity could have been imported. The uncertainty of what the duty might be when the import of corn arrived, rendered it impossible to bring it from distant countries of the world; and with respect to those corn-exporting countries which lay nearer home, they were as badly off as ourselves. The largest quantity of this grain came in the proportions of about half from the far western States of America, and the other half from Russia; and the distance which the grain had to be conveyed would have rendered it physically impossible that half of the importation that took place could have been brought in under the operation of the sliding-scale. He was ready to admit that a distinct expectation had been held out to hon. Gentlemen opposite, that, as the imports increased, our exports would increase in a corresponding ratio; and he admitted that the facts of last year showed that there had been some disappointment in that respect. Yet he would show that that was not a ground for having less confidence in the principle which had been acted upon. He need not refer to the extraordinary state of depression which had prevailed in the neighbouring countries of Europe the last two years, and to the failure of the harvest in Germany, France, and the greater part of southern Europe; but the large imports of grain which must in consequence have taken place into those ports might be conjectured. But let hon. Gentlemen remember this fact, that in 1846, out of 57,000,000*l*. of exports, no less than 27,000,000*l*. went to the neighbouring countries of Europe; and that notwithstanding their hostile tariffs they took our manufactured goods to an extent exceeding the whole of our colonial possessions, including the Mauritius. In saying this, he desired not to be understood as making an invidious remark upon our colonies; he merely wished to state the fact, and that it should be known and appreciated, when they wished to investigate these matters and trace consequences to their causes. France took of our manufactures 2,700,000*l*.; Germany, 6,000,000*l*.; being as much, or more, than the whole of our East India possessions. Holland took 3,500,000*l*., being a larger amount than our American colonies. Italy, also, took more than the whole of our North American territory, and Turkey took more than all our Australian colonies. Our trade had suffered not only from the blight of the potatoes in Ireland, and the failure of the barley and oat crops in Scotland, but from the blight of the potato and wheat crops in France, and of the rye crop in the Rhenish provinces and other parts of the Continent. And here he would beg the attention of the House to the extraordinary effect that this sudden revulsion in the state of Europe had had during the last year in some of the leading articles of export from this country, as shown in the following comparative view of the exports of those articles to southern and western Europe during the years 1846 and 1847:—

	1846.	1847.
Cotton twist	102,629,901 lb. ...	73,087,127
Thread and sewing	896,128 lb. ...	919,207
Plain calicoes	109,417,507 yds...	67,024,351
Printed calicoes ...	76,548,710 yds...	77,585,332
Linens	4,135,902 yds...	4,918,120
Woollens	2,067,136 £. ...	1,733,124
Silks	319,360 £. ...	326,597

The article of printed calicoes was the only one on which there had been any increase in 1847, and from those figures the House would see how sympathetic the manufacturing markets both in this country and abroad were in those cases. The House was aware of the depression which had prevailed in our Eastern markets, including the East Indies, China, and the islands of those seas, and which proceeded from causes utterly disconnected with the recent commercial policy; and he would now read a comparative statement of our exports to those markets in the years 1846 and 1847:—

	1846.	1847.
Cotton twist	27,665,843 lb. ...	22,529,236
Thread and sewing	114,746 lb. ...	257,886
Plain calicoes	289,926,041 yds...	205,997,215
Printed calicoes ...	35,147,317 yds...	30,691,702
Linens	741,043 yds...	542,076
Woollens	579,966 £. ...	538,019
Silks	16,223 £. ...	32,338

Now this great reduction in the amount of their exports was to be taken as affording a reason—clear, evident, and plain—in connexion with the failure of the harvest in these countries and in the adjoining parts of the Continent, for the depreciation which had taken place in the export of manufactures from this country during the past year. But he would now beg to call the attention of the noble Lord opposite to these two facts. There were two countries from which they imported the largest quantity of the corn which they required, and which no other countries could supply; and what was the state of things with regard to their exports to these countries? He, for one, never looked to a large increase of exports immediately following the increase of their imports from other countries, because for fifty years the effect of the policy of this country had been to raise up rival manufactures abroad; and it was unreasonable to expect that just as this country chose the time for altering its policy, they should do so too. But still he found that in the very first year of these enormous imports of corn from the United States and Russia, there had been a great corresponding increase in the amount of our exports; it being, as the House would recollect, the very first year in which the system of free trade with regard to them had been brought into operation. He found the following to be the amount of our exports of manufactured goods to the United States and Russia, for the two years 1846 and 1847:—

	1846.	1847.
Plain calicoes	12,468,113 yds...	44,460,459
Printed calicoes ...	17,240,546 yds...	51,813,329
Linens	20,817,312 yds...	28,063,267
Woollens	1,354,249 £. ...	2,104,366
Silks..................	161,898 £. ...	299,202
Cotton twist	14,116,502 lb. ...	12,714,394
——— thread	1,407,804 lb. ...	996,656

Thus our exports to the two countries from which we imported our large quantities of grain rose in the articles of calico 300 per cent, of woollen 50 per cent, and silk 100 per cent. The noble Lord called the attention of the House the other night to the failure, as he thought it, of the reduction of the duty upon brandy. The noble Lord seemed to entertain the impression that the moment a duty was reduced, the effect was only to transfer the amount of that duty to the pocket of the foreign producer. The noble Lord had taken the article of brandy to prove this, and had told the House that in 1846, when the right hon. Baronet reduced the duty from 22*s.* 6*d.* to 15*s.* 6*d.*, the foreign producer took all the benefit. But the noble Lord had only succeeded in making out that there had been a rise of 1*s.* per gallon in the price in bond of brandy after the reduction of the duty; and, therefore, upon his own showing, the consumer must have been benefited to the extent of at least 6*s.* out of the 7*s.* that were taken off. But he (Mr. Wilson) fully admitted that, if a duty were reduced, whereby the consumption of the article was increased, without previous preparation, and without the accumulation of an increased stock, the consequence must be a rise of the price in bond. The increase in price was the only motive to the producer to furnish an increased supply of the article. Had it not been so in this case of brandy? The quantity of brandy imported in 1845 was 1,900,000 gallons; but in the first year after the change had been made in the duty, and when that small rise in price to which the noble Lord had referred took place, the quantity imported was no less than 2,700,000 gallons, and the consumption rose from 1,000,000 gallons in the former year, to 1,500,000 gallons in the latter year. He had been furnished by one of the most eminent brokers in the city with a statement of the prices of brandy, and he found that the noble Lord was so far correct that the moment it was announced the duty was likely to be reduced, and the consumption therefore increased, the price rose 1*s.* per gallon in bond. But he found also a fact which the noble Lord had not stated, that the price of brandy had afterwards gradually subsided to the amount it had been prior to the reduction of the duty. A duty had never been reduced without some rise in price taking place immediately; and that was the very motive which induced the foreign producers to send a larger supply. The noble Lord had also referred to the alteration in the silk duty. Whether the noble Lord had closely studied the history of the silk trade he did not know; but the matter had been so frequently referred to and discussed, that he felt it unnecessary to go back to the year 1823, and trace the quadrupling of that trade since that time, and he would therefore content himself with reminding the noble Lord of what had taken place during the last year and a half since the change. The facts, however, were so well known, that he would not trouble the House at any length; but it was a curious circumstance, that although the exports had fallen off somewhat during the last year, almost the only article in which there was an increase was silk manufactures, the export of which in 1846 was 729,000*l.*, and which has increased in 1847 to 890,000*l.*; and it should be also observed, that the only article in which our exports to France had increased during the last year had been articles of silk manufacture, and France was now our second largest customer in the whole world for silk manufactured goods. The noble Lord had also referred to cotton, and seemed to think that the only effect of the imposition of a duty would be to reduce the profit of the grower in North America. But were hon. Gentlemen aware of the extreme competition which existed at this moment in cotton manufactured goods between this country and the United States; that in the markets of China for example—nay, even in our own colonies, as the Cape of Good Hope—America competed so closely and keenly in some of the most important articles of cotton manufacture as almost to threaten to drive out our producers? A duty charged here that was not chargeable in New England would render the article by so much higher to the English manufacturer; and if only a farthing a pound were added to cotton it would be a most important addition in the price of those articles in which there was already so close a competition. Was there any reason, then, notwithstanding the melancholy prostration of the country, to regret the course of policy pursued during the last few years? So far as regarded finance and commerce, the policy of 1842 had, he thought, been perfectly successful. He believed that the country had been enriched, directly or indirectly, by that policy, twenty times the amount of the income-tax. When the events which had taken place during the last few months upon the Continent were reviewed, and the prostration of trade which had occurred at home was recollected, he thought no Gentleman could wish that we should now have to deal with a great question of discord between the rulers and the ruled in this country. To his mind, it appeared that one of the most gratifying reflections which the right hon. Baronet and those who had acted with him could now entertain, must be that they had had the wisdom to make concession in time, and not waited for such an hour as this. There were few who would not feel that they owed a deep debt of gratitude to that Government which had sacrificed all its own personal views and interests, and feelings and ties that were dearer still, in order to carry out a policy which they believed must conduce to the true, lasting, and permanent interests of this country. He would now leave this part of the subject, and turn to that which was more immediately the question before the House. The real question the House had to decide apart from minor considerations was, whether that policy was to be continued under which we had prospered? At least he might say that we had prospered; for if we had not had these exports last year, and if there had been a failing trade with Russia and the United States, our condition would have been much worse; and therefore he might say that we had prospered in finance and in commerce under the new system. The question then was, whether this course should be persevered in, or whether we should revert to the system of Customs and Excise, in order to make the income of the country equal to the expenditure? The noble Lord in bringing forward the budget the other night had stated that the revenue had fallen no less than 2,400,000*l*., and that the decrease on the last quarter had been 1,100,000*l*. This was not more than under the circumstances might have been expected. In 1842, for example, when the system of protection and the sliding-scale had been in full operation, and when the harvest had not been so bad as that of last year, the Excise alone had fallen off in one quarter 700,000*l*. Regarding the deficiency then stated by the noble Lord, there were three courses open to the noble Lord to pursue. They might consider whether it was worth while to borrow the money and increase the funded debt of the country. Some Gentlemen might think that a wise policy; but for himself he rejoiced that the sense of the country at large was opposed to an increase of the funded debt in a period of peace. The next thing to consider was the possibility of reducing the expenditure. He had looked over the Estimates—not that he was able to form an accurate opinion of them—but he had confidence in those by whom those estimates had been prepared, and believed that everything had been done consistent with their views of public duty, and in accordance with the policy that had been sanctioned by that House. The estimates had been prepared, not so much with respect to a policy which the Government sought to carry out, but with regard to a policy which had already received the sanction of that House; and, therefore, he thought that the right hon. Gentleman who had brought them forward should not be held solely and entirely responsible, but that the House ought to bear also some share of responsibility for the development of principles which they had previously recognised. He was not prepared to assert that some reductions might not be made in the estimates; but he could not refrain from expressing the strong objection he felt to the course pursued by the Government in one respect. He thought it was not consistent with the dignity of Government to have brought down specific estimates for the expenditure of the year, and then ask the House to refer those estimates to Committees. He could understand a Government coming down on the first day of a Session, and appointing a Finance Committee to inquire into the revenue and expenditure of the country; but that was a very different proceeding to that which the Government had taken. It was contrary to all precedent to refer specific estimates to any Committee whatever; and he regarded the act with apprehension not only with respect to the present case, but regarded the effects it might have in future. The preparation of the estimates was one of the most important functions of the Executive Government; they of course knowing so much better than any one else could possibly know, what were the circumstances which influenced the expenditure; and he much feared that if a precedent of this kind were set, it would infuse into the Governments of future years a laxity in the preparation of these estimates which might eventually prove highly prejudicial. The best guarantee for carefully prepared estimates was in the feeling of responsibility which attached to the Government; and while, not casting the least imputation upon the intentions of the Government, he had felt it his duty to say, and his belief was, that the country would have no confidence in those estimates when they had come out of the hands of these Committees. And, looking to the circumstances attending their expenditure, he did not think that there was much probability of their being able to effect any great reduction—at least for this year. The Committee might make a searching and careful inquiry; but they would find that their policy was fixed, and that it would be neither possible nor desirable to leave unfinished, and to go to rack and ruin, any of those immense works which they had commenced in past years, and which they were now under an obligation to see rapidly, though at the same time with a proper regard to economy, completed and carried out. There was too, another very serious question to be mooted in all considerations of reduction. They found, every month, new British possessions rising up all over the world. Up to the year 1834, indeed, the extent of our foreign possessions had been really very small compared to what they were now. The rapid and striking progress in the acquisition by Great Britain of new territory during that period, had in it, to his mind, something appalling. It was quite quite true that their export trade had greatly increased, and that they had created many additional markets during that time; but he entertained considerable doubt if, in a merely commercial point of view, those new possessions had anything like paid their expenses. If they were to travel over the universe, dropping a handful of Englishmen on every barren coast in their way—on large islands, for instance, like Trinidad, where there were only twenty-three people to the square mile, and would not be content with their own West Indian colonies—if they would wander continually in search of new possessions, and insist on appointing governors, deputy-governors, and officers of every class and grade to the new territory —if they would afterwards call for ships of war to protect the property of their colonists, even in these small places—why, then the public which indulged in this sort of mania for extending their flag, and those Gentlemen in the House who called out justly enough for economy, should consider first of all what they demanded of the Government to do before they thought of cutting down the expenditure. It was only the other day that a petition arrived from the Chamber of Commerce at Singapore, praying the Home Government to despatch additional frigates to protect British ships in those seas; and at Penang also the same demand was being made. He did not mean to say that this policy was radically bad, but he did maintain that a calculation ought to be made; and if the commercial world did really think it for their interest to go on extending their markets in the way they had done for some years, it would be the height of absurdity in that House to pretend that they would be able to reduce the expenditure in such a manner as to leave those recently-acquired possessions without any defence. No Government—no House of Commons, would ever be brought to consent to leave their colonists, no matter under what circumstances the colony had been planted, without a just and adequate protection; and, therefore, while there was not a Gentleman in that House who could be more anxious than he was to see economy enforced on all hands, he begged of them, in directing attention to this subject, to begin, not with the estimates, but with the causes of those estimates. There were yet, as he conceived, other reasons why, this year, they would find it difficult to adopt any important reduction in the expenditure. He entirely sympathised in the feelings of those hon. Gentlemen who had expressed well-founded apprehension of perceiving that, year by year, the amount of our expenditure was seriously increasing. There was no doubt that such was the fact; but it would, he thought, be much more dignified in them if they examined beforehand the whole system, and traced the causes of expense, rather than utter complaints when the time time came to pay debts which had been incurred in accordance with public opinion, and in pursuance of the recorded votes of that House. Therefore, as he could not bring his mind to believe it in their power to effect any reduction of moment; seeing, moreover, a deficit of no less than 2,000,000*l.* in the estimates of next year, another deficit nearly as large on the last year, and without a prospect of improvement, he was sorry to say, in the coming twelve months—with, in point of fact, the probability of another deficit—he considered they would be taking a perilous step—a step which he would not sanction with his vote—to commence a year with such elements of danger around them without insuring full security to the finances in the manner now proposed by the Government. Well, then, what were they to do? It appeared to him that the only other remedy left was what had been proposed by the Government in the first instance. It might be unpopular in him to say so; but he did most firmly believe that in this matter the country was wrong and the Government right; and he was convinced that not two years would pass over their heads without many Gentlemen in that House regretting their opposition to the project of the Ministry. If they found themselves under the necessity of increasing the taxes, the first consideration was (and he begged it to be understood that he knew nothing of the views of Government beyond what he had heard in that House), how could they most conveniently obtain the required income? and he did not see that there was any mode in which they could have done so more likely to meet general approbation than the one contemplated by Her Majesty's Ministers. Suppose they had reverted to the Customs duties—suppose the proposal of the noble Lord oppoosite (Lord G. Bentinck) had been brought forward—did the noble Lord really believe, that in the present depressed state of commerce, anything like a restriction, increasing that depression, would have been endured? What kind of duty would the noble Lord have suggested? This was not a question of protection, it was a question of revenue. If the noble Lord would have wished to return to the sugar duties, he could only have done so, not by repealing the Bill of 1846, but by increasing the duty on our own colonial produce; for an increase of differential duty on foreign produce would, of course, have only had the effect of decreasing the revenue. In the present condition of the West Indian planters, and in the present state of the public mind, would such a proposal as that on the part of the noble Lord be received with any favour or with any probability of success? Would they have reimposed the Excise duties? He considered that no class of duties was more vexatious or more inquisitorial. Then, as the Customs duties and Excise duties were equally out of the question, what remained to the Government? They had only direct taxation to fall back upon. And he would beg to remind hon. Gentlemen that every tax they imposed would turn out, in one shape or another, to be be an income-tax. It was contrary to the recognised principles of taxation, as laid down by all statesmen, to tax capital; they derived, or ought to derive, their revenue from income, and income alone. This was the principle upon which they were supposed to proceed, and on that ground he objected to the probate duties as they existed at present. There were many good reasons why those duties should not be extended to real property; but there were further good reasons why they should be repealed on personal property, for they were duties on the capital of the country, and on that account objectionable. All taxes, therefore, were taxes on income, and the only question was, would they tax the articles they consumed, or submit to have the same sum extracted from their pockets by the Income-tax Commissioners at certain periods of the year? The Customs duties had been found onerous, prejudicial, and unjust, and, to a certain degree, had been given up. They then must have recourse to an income-tax, and they had merely to consider what kind of income-tax it should be. It appeared to him that that which had been in operation since 1845 was the best which they could now adopt. In the first place, they had the whole machinery ready at their hand; and, in the second place, the public mind had, to some extent, become reconciled to the present system. ["No, no!"] He could only say, that if the public was becoming dissatisfied, hon. Gentlemen in that House were greatly to blame; and some of his hon. Friends around him, who had been all their lives advocating this particular tax in preference to all others, had, unwittingly, and contrary perhaps to their intentions, been doing a very great deal to render the system unpopular. They were told, first, that this tax was odious because it was inquisitorial in its nature. He, himself, had certainly been of that opinion in 1842: this was the sort of historical character which had become attached to the tax; but if hon. Gentlemen would put it candidly to themselves, they would confess that they had been agreeably disappointed as to the effect, in this respect, experienced by the country. He had met, at any rate, very few valid objections on this score either in public or in private; he had had no proofs, himself, of the tax being inquisitorial; and from the communications he had received on the subject from gentlemen suffering under the operation of Excise duties, if he were asked which was the least inquisitorial, an income-tax, a property-tax, or a system of Excise duties, he should have no hesitation in replying that the latter was infinitely more annoying and vexatious. There was another objection raised to the income-tax, which very much surprised him. The hon. Member for Middlesex (Mr. B. Osborne), in his masterly speech the other night, referred to the objection taken by the noble Lord the Member for the city of London, in 1842, to the proposition which was then made. He had thought then, and thought still, that a more futile objection had never been urged. The objection was—and it was now made great use of for the purpose of enlisting the working classes in the opposition—that the tax tended to withdraw a portion of that fund which would otherwise be devoted to the employment of labour. Now, was there any other tax that did not do that to the same degree? The amount, in every instance, thus withdrawn, must be equal only to the amount of the tax itself, and depended in no way upon the character of the tax. Take the Customs duties; surely they would interfere with trade, and commerce, and manufactures, and impede industry infinitely more than a mere payment under the income-tax by a person comparatively wealthy. A third objection was, that the income was a war tax. That was a mere term; in a time of war they would necessarily reqûire a larger income than in a period of peace; and if this tax was substituted for the Customs duties, and they should require, from hostilities breaking out, an extra 5,000,000*l.* or 10,000,000*l.*, what difference did it make to the country how that was raised, provided the mode adopted was as little objectionable as possible? There was another objection offered to this tax of a very grave character, and which had been attempted to be refuted by many in that House who justly possessed the confidence of the nation on all matters of finance. It was urged that there was inequality in this tax. He did not deny this inequality; and he was persuaded that a useful and successful effort might be made to render it more equitable. The existing inequality was the whole objection of many Gentlemen who otherwise approved of a system of direct taxation; and he believed, moreover, that, out of doors, in the large commercial constituencies, the proposal would have been received with approbation if this one ground of cavil had been removed. He had listened with attention to the recent speech of the hon. Member for Cockermouth (Mr. Horsman); and though he did not pretend now to offer an opinion on the plan suggested, or to support the principle which the Motion of the hon. Member would have laid down, he regretted that, from accident, he had been prevented being present to vote for it. He had been greatly surprised at the reply to that speech which had proceeded from the right hon. Gentleman, an ex-Chancellor, the Member for the University of Cambridge (Mr. Goulburn). The right hon. Gentleman was entitled to all respect in expressing his convictions on a matter of this kind; but the objection which he had raised was undoubtedly most extraordinary. The right hon. Gentleman, first of all, laid down a general proposition, that all taxes were unequal, and that no tax could be made equal. He would at once admit that, to a mathematical nicety, it was impossible to obtain perfect equality in taxation; but, in the words of Mr. Pitt, that was no reason why they should not do what they could to make it as equal as possible. The right hon. Gentleman referred them to the land tax, as full of enormous inequality; but did the right hon. Gentleman not know that that inequality had been intentional, and had arisen out of one of the wisest laws this country ever passed? Originally the land tax was equal; it was made and fixed equal, in order that it should not interfere with improvements, just in the same way as they had, a few years ago, commuted tithes, and on the same principle as they now called upon the

East India Company to fix an annual land tax in India. The inequality had arisen since in consequence of improvements being made in particular lands more than in others; but this tax always adjusted itself as time went on. There must, inevitably, be inequality in all taxes at certain periods, but in course of time the balance was brought round. The right hon. Gentleman had spoken of the local burdens which landed property had to bear. It was convincingly laid down as a principle of administration by the right hon. Baronet the Member for Tamworth, in 1846, that they ought never to set off local taxes on landed property against the general taxes of the country. Local taxes were for local purposes; and their character was according to the peculiar property to which they were attached; in the country the tax was on land, in cities it was on houses. To set off, therefore, the local tax against the national tax—to set off the local rate chargeable at Lincoln, with reference to the tax chargeable to the whole community of London and Liverpool, seemed to him to be anything but a fair or accurate appreciation of financial necessities, and a most extraordinary recommendation as coming from a right hon. Gentleman who had occupied the post of Chancellor of the Exchequer. The right hon. Gentleman had argued, as if in the cases of a physician and a landed proprietor, each with an income of 5,000*l.* a year, the professional man would have redress at once if his income should fall off 1,000*l.*, while the landed proprietor would continue to pay precisely the same to the income-tax commissioner. But this was a fallacy, for the tenants who paid the rent would deduct what they paid to the tax-collector; and if the rent fell, the tax would fall also. The right hon. Gentleman had alluded to Mr. Pitt, in 1803, objecting to taxing funded property, on the ground that it would be a breach of public faith; but when that Minister first proposed the income-tax as a substitute for assessed taxes, he distinctly asserted the principle that the holder of the funds had no right, because the debt was not subject to the tax, to demand being excepted himself from the general taxation. The proposal of the hon. Member for Cockermouth was only to tax funded property the same as other real property. The whole question was, what was income? It could not be said that the person who received interest from Consols, was receiving income in the same sense as the man who held terminable annuities—who obtained not only interest but a portion of his capital at the end of every year. The right hon. Gentleman said that no reduction was made for repairs in real property; but on the other hand, no deduction was made for wear and tear in the mills. He believed that this tax, like other taxes, would adjust itself in time. His hon. Friend the ex-Member for Kendal had always contended that an income-tax would be quite fair, provided only it were permanent; but, to be fair, he thought it must also have existed a certain number of years. Of this, however, he felt quite assured, that into whatever errors the House might be betrayed with respect to the subject now under consideration, the principle of adjustment would still go on, and that laws apparently calculated to interfere with that principle very rarely proved effective. In illustration of this principle he might refer the Committee to the case of terminable annuities. If a terminable annuity were created, and purchased by an individual, when an income-tax was actually in operation, then, no doubt, the price paid for it would be calculated accordingly; and therefore the payment of such a tax would prove no injustice. But if after the creation of such annuities this tax were imposed, then there could be no question that the owner would be charged on the portion of his capital which was, according to his calculation, annually returned to him, as well as on the interest. And if the income-tax were continued, every person in future buying terminable annuities would buy them at a price calculated in reference to this tax. The injustice, therefore, was done only to the present owner, and not to the future buyer of such securities. So in like manner all other interests would have a tendency in the course of time to equalise themselves in reference to this tax; and ultimately, if the tax should continue, it would equalise itself; and every year it continued in operation, this end would be nearer reached. If, therefore, Parliament could not be induced on the present occasion to attempt such an equalisation as that to which he had referred, and the income-tax should continue for some years longer—during which period a process of self-adjustment would be going forward—he might not be disposed at such future period to take the same view as at present with regard to the duty of Parliament then to attempt what he thought should be done now. In the previous part of the debate upon the present Motion, the hon. Baronet the Member for Tamworth told the House that the present was a question of income, and so certainly it must be considered; but the right hon. Baronet offered that proposition as a reason the very opposite of that which it presented to his (Mr. Wilson's) mind. The right hon. Baronet said it was a question of income, inasmuch as it was intended to be, and actually was, a substitute for Customs duties; but it was to be remembered that in Customs duties there was no scale, and that they were levied without reference to the nature of the income which was expended in their payment. Now, he thought that that argument might be used for a purpose different from, and opposed to, that used by the right hon. Baronet. The right hon. Baronet said, that the possessor of income might or might not disburse his income in the payment of Customs duties, or he might save his surplus income, or he might apply it to the payment of premiums on life assurance. The House could not have forgotten that, before any income-tax had been imposed, under the old laws the recipient of income expended whatever portion he thought proper, and laid aside whatever surplus remained. It would also be remembered, that Mr. Pitt recognised this principle in 1798, and made many provisions in the law respecting income-tax for the purpose of practically carrying out that principle. Mr. Pitt exempted from the operation of the law men having large families, and funds applied to the payment of premiums on life-assurance he also relieved from the necessity of paying income-tax. In fact, in every case, he permitted the recipients of incomes to deduct from their income-tax the amount charged upon the sums which they paid in the shape of premiums, on the ground that those sums were funded as capital, and were not expended as income. He had listened very attentively to the greater number of the speeches delivered on the question which now engaged the attention of the House, and he certainly had not heard any one argument to alter the opinion which he had originally expressed as to the inequality of the tax. To say, however, that it was impossible to render it more equal, would be to enunciate quite a different proposition. He was aware that, to attempt its equalisation, would be to undertake a task of great difficulty. Nevertheless, he thought that an effort ought to be made to apportion it with more fairness and justice towards all parties. A conviction of its injustice had sunk deep into the minds and hearts of almost all classes of the community; and he apprehended that if some attempt were not made to secure greater equality, the discontent which the persuasion of injustice would engender, could not fail to endanger — at least, to some extent — the whole finances of the country. Having thus stated the various objections to the income-tax, he would offer a few observations upon the actual state of our finances, and our prospects for the coming year. The right hon. Gentleman the Chancellor of the Exchequer, a few evenings ago, withdrew the original proposition of the Government to increase the income-tax 2 per cent. Unpopular as the opinion might be, he (Mr. Wilson) doubted the policy and the wisdom of that step; and he feared the House would regret, before two years had elapsed, that the first proposal had not been carried. What arrangement was to be made about the aggregate deficit of 3,300,000*l.*? That was a question deserving the most serious attention. There was already 1,300,000*l.* deficiency, which the Chancellor of the Exchequer said he would pay by drawing on the balances. He could not recommend that course. Last January the right hon. Gentleman stated the balances were then 8,000,000*l.* sterling; but hon. Members must remember that that was on the 5th of January, when 7,200,000*l.* had to be paid within ten days afterwards. That amount of eight millions was really only a provision for the expenditure of the quarter for the dividends then due, and other expenses belonging to the quarter; and the real balance was only 882,000*l.*; and in order to make up the eight millions, no less than 1,000,000*l.* sterling, part of the loan of last year for Ireland, was reckoned; so that, in fact, in January last, instead of having any real balance applicable, there was a deficiency of 200,000*l.* If they went on till April next, there would be a still greater deficit; and at that time, if these 1,300,000*l.* were to be charged upon the balances before the dividends were paid, it would be necessary to fall back upon the system of deficiency bills. The right hon. Gentleman said he must either fall back upon the balances, or propose some new tax. He could not think we were in a satisfactory position, now that the Government had withdrawn their proposed addition of 2 per cent, with a deficiency of two millions, which must either be met by new taxes, or by the disreputable course of adding to the funded debt during a time of profound peace. He felt most strongly they were pursuing a most injudicious and dangerous course in entertaining the budget in its present shape—with a deficiency of two millions sterling, not knowing how to make it good, yet inducing the Government to abandon the only proposition by which that result could have been obtained. With regard to the particular Motion before the House, the question, now that the concession of the two per cent increase had been made, was whether the 3 per cent should be continued for three years or one year? Some hon. Members, and the noble Lord opposite (Lord G. Bentinck), with his Friends, supported the shorter period upon what appeared to be most intelligible grounds, because they hoped we should go back to indirect taxation. This was an intelligible reason for supporting the Amendment. But other hon. Gentlemen, who really wished to see the Government policy which had been commenced, and once confirmed by the House, and which it was proposed to continue—many of them being among his own particular friends—wished to support the Amendment. This appeared to him a course most detrimental and prejudicial to the great interests and principles of the policy which they had adopted. Let them only consider in what position they would place the Government. With two millions of absolute deficiency, and an estimate of three millions more, with uncertainty as to what might take place next year, how could they expect Government to turn their attention to ameliorations of our commercial and fiscal system? On the 1st February, 1849, the present duties on corn would expire. The noble Lord opposite (Lord G. Bentinck) would be glad of any cause to induce the House to consent to a continuation of those duties; but his hon. Friends near him would be exceedingly opposed to any such result. Yet the course they were about to pursue was, in his estimation, doing more to endanger the fulfilment of their own principles than any other course they could possibly take. On these grounds he should vote for the proposition of the Government to continue the income-tax for three years. In Committee he should be glad to consider any proposal for removing its inequalities; but if those inequalities could not be removed without endangering the tax, much as he objected to them, he would wave his objections for the present. Another point he begged to urge on his hon. Friends. There had recently been a very great movement in the commercial towns, and he had himself gone with deputations to the Chancellor of the Exchequer and the First Lord of the Treasury to ask for a repeal of the tea duties. The hon. Member for Montrose (Mr. Hume) was one of the greatest advocates for a repeal or reduction of the tea, tobacco, excise, and all other duties; but how could he expect the Government even to think of these matters, unless they had the means of providing for the deficit which would be produced? Government might receive deputations and hold out hopes that next year something might be done; but if the whole basis of our finance was to be rendered uncertain by making a tax amounting to five millions depend upon an annual vote, a tax so easy to be made unpopular, it would be utterly impossible to look forward with any hope for an amelioration of those taxes for which the public was so anxiously wishing. He, therefore, thought that the large constituencies of Liverpool, Manchester, and the city of London, which had been loudest in demanding these reforms (and he thought justly, because their interests were deeply involved in them) were somewhat inconsistent, if, whilst making these demands, they called upon Government and that House to obstruct the only course which would enable the Government to carry out their views. He should greatly mis-state his own views if he did not say he looked with great apprehensions at the course which the commercial interests of the country were likely to take during this year. On whatever side he turned, he did not see the slightest indications of anything like a permanent improvement, either at home or abroad. He knew it would be said out of doors, and that it would be said in that House, "if such be your opinions with regard to our commerce, is this a time for imposing a new tax?" But how were they to escape from the dilemma? Were they determined to support the credit of the country at all hazards? If that were their determination, as he believed it was, it would be idle to attempt to say that, because the country was in a bad state, the necessary expenditure could not be met. Why, to his mind, this was the great recommendation of the income-tax. The income-tax was just that particular kind of tax which, as far as it was derived from real property, might fairly be expected to yield the same amount that it had hitherto done. They might safely calculate upon no reduction from that source; and with regard to incomes from trade and commerce, if trade was bad, less would be the tax to be paid. The tax, therefore, was certainly proportioned to circumstances; and, all things considered, it was the least prejudicial in time of depression. Those who were in possession of incomes from real property had clearly been well off during the last two years; and therefore they, at least, would not shrink from their share of any additional burdens. While the country had been suffering from great depression, consequent upon bad harvests, deranged commerce, and want of credit, land had actually increased in value, owing to the very causes of all these mischiefs to the other classes. The price of corn had been very high, rents never were so well paid, agricultural products, notwithstanding enormous importations, had obtained higher prices than for many years before; therefore, however distressed the commercial classes might have been, the landed classes had been exempt; and he was quite sure they would willingly bear increased taxation, in order to raise the income of the country upon an equality with its expenditure. To embarrass the Government would be to paralyse every branch of commerce; for if the national credit were depressed, commerce could not be prosperous. They all knew that the banking reserves were held in Government securities. If discredit affected them they would become unnegotiable; thus large amounts of capital would be withdrawn from money markets, former crises would be repeated, a worse panic than that of 1847 would ensue, and hoarding, with increased discredit, must be the inevitable result. He maintained that the addition of the 2 per cent was a matter of no consideration as compared with the evils which those panics and crises would occasion. Upon these grounds he had made up his mind to support the Government measure of 3 per cent for three years. After the best consideration which he could give to the subject, he had arrived at the conclusion that the tax in that shape, if not in the other, was most important to the interest of all classes, and above all to those engaged in the commerce and industry of the country.

Mr. J. B. SMITH expressed his intention of voting for the Amendment of the hon. Member for Montrose, because he was favourable to a tax upon property rather than income, which was precarious. The manufacturing interest could not object to the income-tax, but they objected to the inequalities and injustice of the income-tax. It appeared to him that the country was very much in the position of a parish with which he was acquainted. For years they had gone on adding to their rates, until at length things were brought to a crisis by the proposal of a rate of 10*s.* in the pound. Upon this proposal, the parish was up in arms, special meetings were held, and after much fighting the rates were reduced to 2*s.* 6*d.* in the pound, and it was found that the affairs of the parish were just as well administered under the latter rate as under the high one of 10*s.* in the pound. So with regard to the affairs of the country. The expenditure had gone on yearly increasing; but he thought the time had now come when retrenchment was necessary. He had no doubt, if the expenditure of the country were looked into as carefully and minutely as a select vestry looked into the affairs of a parish, that a saving of some 9,000,000*l.* or 10,000,000*l.* might be effected. He regretted that he was obliged to agree with the hon. Gentleman who had just sat down in the gloomy anticipations which he had expressed with regard to the coming year. The state of the Continent and our foreign markets was such, that he feared before the close of the Session the Chancellor of the Exchequer would have to ask the House for some additional means of increasing the revenue. For this reason he was inclined to support the continuance of the income-tax for one year; and by the expiration of that period such reductions might be made perhaps in the expenditure as would enable them to dispense with the tax, or regulate our whole system of taxation with a view to a fair and equal adjustment of the national burdens.

Sir W. MOLESWORTH: It appears to me that the two questions which have been the main subjects of discussion in the course of this debate, are, what are the causes of the present financial embarrassment of this country, and what is the best mode of meeting that embarrassment? The noble Lord the Member for King's Lynn, and his friends, maintain that the financial embarrassment of the country has been brought about by the free-trade policy of the right hon. Baronet the Member for

Tamworth; and that in order to relieve the country, it will be sufficient to return to protecting duties, and to substitute indirect for direct taxation. The right hon. Baronet the Member for Tamworth, and the hon. Gentleman the Member for Westbury, have so ably defended the policy of free trade, that I will say nothing on that subject; but I must observe, that though they proved that free trade was not the cause of the present financial embarrassment, they have omitted to state what was the main cause of that embarrassment. I maintain that it can be easily traced to the vast, and I believe unnecessary, increase of expenditure which has taken place of late years. No one can deny that the expenditure of the country has been increased, and is increasing with great rapidity. This increase of expenditure has taken place since 1835; in that year both the income and the expenditure of the country were less than they had been in any year since the Peace. In 1835, the net income was 46,000,000*l.*; the expenditure, 44,400,000*l.*—a surplus of income, therefore, to the amount of 1,600,000*l.* Since that year taxes have been repealed to the estimated amount of 10,000,000*l.*, and in their stead taxes have been imposed to the amount of 8,000,000*l.*; leaving, therefore, a balance of 2,000,000*l.* in favour of the taxes that have been repealed. Nevertheless the net income of the country has increased from 46,000,000*l.* in 1835, to 51,500,000*l.* in 1847—an increase of 5,500,000*l.*; but, unfortunately, the expenditure of the country has increased twice as fast, from 44,400,000*l.* in 1835, to 54,500,000*l.* in 1847—an increase of 10,000,000*l.* and upwards. This increase is so vast, that it is difficult to form an adequate conception of its amount. It amounts, for instance, to double the present income-tax. It is equal to the whole revenue from the duties on tea, coffee, and tobacco, taken together. It is double the malt-tax, six times the window-tax, ten times the county rates, a hundred times the sum we grant for the education of the people of England. It is 3,000,000*l.* more than the poor-rates—2,000,000*l.* more than we borrowed last year to save the Irish from starvation. This vast increase of expenditure, to what is it owing? Of the 54,500,000*l.* which we expended last year, 28,100,000*l.* were paid for the interest of debt. That sum was 400,000*l.* less than the sum which was paid in 1835 for the interest of debt; therefore the increase of expenditure had been on account of the general government and of the forces of the country. For those purposes we expended in 1835 only 15,900,000*l.*; last year we required for the same objects 26,400,000*l.*—an increase of 10,500,000*l.* or 66 per cent. Of what does this increase consist? 1,500,000*l.* were applied to relieve distress in Ireland; 2,000,000*l.* were required for the increased expense of the general government of the country; and 7,000,000*l.* were paid on account of the increase in the Army, Navy, and Ordnance. Can we reduce any portion of this expenditure without detriment to the interests of the country? I will confine my observations to the expenditure for the Army, Navy, and Ordnance. The expenditure last year under those three heads amounted to 18,500,000*l.* and exceeded by nearly 4,000,000*l.* the average yearly expenditure for similar purposes since the commencement of our peace establishments in 1817. It even far exceeded the expenditure in any one of those thirty years, though more than once in that period Europe had been in a critical state, and rumours of war were rife. For instance, it exceeded by more than 4,000,000*l.* the expenditure in 1823, when France under the Bourbons invaded Spain, with the approbation of Austria, Russia, and Prussia; and England stood aloof, disapproving and menacing. Again, it exceeded by 3,700,000*l.* the average expenditure during the Administration of the Duke of Wellington—the three memorable years from the commencement of 1828 to the close of 1830, the years of Catholic emancipation, revolution in France, revolution in Belgium, revolution in Poland, and commencement of agitation for reform in England. From that period down to the year 1835, the expenditure gradually diminished, under the influence of a reformed Parliament, a reforming Ministry, and those able administrators and reformers, the right hon. Baronet the Member for Ripon, and the right hon. Gentleman the Member for Coventry, and others. It is painful in these times of lavish expenditure to read over their economical estimates, and to think that those happy days are so long gone by. 4,500,000*l.* were the moderate Navy Estimates of the right hon. Baronet the Member for Ripon for the year 1834-5; 4,350,000*l.* were those of the noble Lord the Member for Bath for the year 1835-6; last year Lord Auckland spent 8,000,000*l.* on the Navy; this year he will spend as many more. In 1834 and 1835, the cost of the Ordnance service was about a million a year, when Sir James Kemp and Sir George Murray were Master Generals; last year we spent 3,000,000*l.* on that service; this year more than 3,000,000*l.* are required. Again, for the Army and Commissariat the expenditure of the right hon. Gentleman the Member for Coventry did not exceed 6,400,000*l.* for the year 1835; and 6,470,000*l.* was the expenditure in 1836 when the right hon. Gentleman the Member for Stamford prepared the Army Estimates. 7,540,000*l.* were paid last year for these services; and this year the noble Lord the Member for the city of London proposes to add 5,000 men to the Army in the United Kingdom, and to lay the foundation of a militia force; and the noble Lord told us, that—

> "if we could not come to the conclusion that the militia force was desirable, he should be obliged in future years—in the next year or in some future year—to propose a still further extension of the Army."

The whole expenditure for Army, Navy, and Ordnance in the year ending January, 1836, was 11,600,000*l.*; last year it was 18,500,000*l.*—an increase of nearly 7,000,000*l.* I will not now affirm or deny that the estimates might be reduced to those of 1834 and 1835. I shall be curious to hear from the right hon. Baronet and the right hon. Gentleman, who were responsible for those estimates, what is their present opinion on such matters. I must, however, beg the House to observe, that since 1835 the expenditure for Army, Navy, and Ordnance, has gone on increasing at the rate of 580,000*l.* a year, and that the increase of the estimated charge for this year, including the militia, is 750,000*l.* I must beg the House likewise to observe, that in consequence of this increase of expenditure in seven out of the last twelve years, the whole expenditure of the country has exceeded the income by sums varying from 350,000*l.* to nearly 3,000,000*l.*—that if the expenditure for Army, Navy, and Ordnance, had continued the same as it was in 1835, in every one of those years there would have been a surplus of income over expenditure to an amount varying from 400,000*l.* to 4,000,000*l.*; and then, instead of suffering, as at present, from a deficiency of 2,956,000*l.*, the Chancellor of the Exchequer would have had to declare a surplus of 3,800,000*l.*, with which he might have taken off the window-tax, or halved the duty on tea, or done many other things which would conduce to the health and comfort of the people. I will, however, suppose, for the sake of argument, that the estimates for 1835 would be wholly inadequate at present, in consequence of some change in our external affairs or foreign relations. But then I must ask why the estimates should far exceed what they were when our external affairs were by no means tranquil, and our foreign relations by no means pacific; for instance, when Canada was in rebellion—when we were at war in China and India—when we were angry with Russia on account of the capture of the *Vixen*, meddling in Syria, disputing in France about Tahiti, and quarrelling with America about the Oregon. Now, all these events occurred in the interval between 1837 and 1845; yet on the average of those nine years the expenditure for Army, Navy, and Ordnance, was only 14,500,000*l.* a year, or four millions less than last year, when we were on friendly terms with all the world, except some naked savages at the Cape of Good Hope. But suppose that at present an expenditure of 14,500,000*l.* would not be sufficient for the Army, Navy, and Ordnance, still I ask why the cost of those establishments was much greater last year than they were for the year ending January, 1846? In that year, the last financial year of the right hon. Member for Tamworth, there was a surplus of income to the amount of 3,800,000*l.*; now there is a deficiency of 2,950,000. Therefore, in the course of two years, there has been a change for the worse in the financial condition of the country to the extent of those two sums added together—namely, to the amount of 6,750,000*l.* Now, what has produced this alarming change in the finances of the country? The noble Lord the Member for the city of London, on a former occasion, referred to the distress which prevailed last year, and which had caused a considerable diminution in the revenue of the year ending last January, as compared to the year ending January, 1847. But the ordinary revenue of last year was only 400,000*l.* less than the ordinary revenue for the year ending January 1846; it is true that there was a diminution to the amount of 1,100,000*l.* on the extraordinary revenue, in consequence of the cessation of remittances from China, and, therefore, the total decrease on the whole revenue since the year ending January, 1846, amounted to 1,500,000; but this decrease could not have converted a surplus of 3,800,000*l.* into a deficiency of 2,950,000*l.*; nor could this change have been brought about by the 1,500,000*l.* which was charged last year to the account of distress in Ireland. What, then, has produced the deficiency? I answer that it has been occasioned by the increase in the expenditure for the Army, Navy, and Ordnance, which amounted in the year ending January, 1846, to 15,664,000*l.*, and which last year was 18,500,000*l.*, an increase in the last two years of more than 2,800,000*l.*, or just the amount of the present deficit. Now, I ask, why we should keep up these huge armaments, which are so much more costly than even those which the right hon. Baronet required? Are we afraid of the liberal principles of the Pope, or of constitutional government in Italy, or of the republic which has succeeded on the downfal of the monarchy of Louis Philippe in France? The French won't meddle with us if we do not meddle with them. They will have enough to do in arranging their own affairs, in the speedy settlement of which may every success attend them which a noble and courageous people deserve! That foolish invasion panic is now happily dispelled, which a short time ago threatened us with fortifications as vast and as useless as those by which Paris is surrounded. It is, however, said, that we must continue our huge expenditure on the Navy, because the French navy has increased during the last ten or twelve years in something like the same proportion that our own has increased. It may be true that the two countries have been vieing with each other, and running a foolish race of reckless expenditure on their navies. If this be true, it is evident that that country will be the wisest who shall first cry "halt!" Now, we ought to set France the example of diminishing the navy, and for two reasons: first, because our navy is much greater than that of France; secondly, because as long as we possess our commercial superiority, it is impossible that France or any other nation can compete with us for the dominion of the ocean. For all history proves that that country, however small may be its territory, will be supreme on the seas which possesses the greatest commerce. It was so with Tyre and with Carthage, with Athens, Venice, and Holland. It is so with England; and if England should ever lose the sceptre of the ocean, it will in all probability pass to our kinsman of America, whose commerce most nearly approaches in magnitude to our own. If France wishes to compete with us on the seas, instead of exhausting her resources on vessels of war, let her look to her commercial marine, and foster it by removing restrictions on trade. By so doing she would trade more with us, bind herself more closely to us, and render a war with us impossible. In fact, as it is, the trade between France and England has increased of late years so rapidly, and to such an extent, that I am inclined, even at present, to doubt the possibility of a war between the two countries. I hold in my hand some extracts from the official returns of the French Government with regard to the trade of France. I find from them that, in the interval between the year 1830 and the year 1844, the foreign trade of France had doubled. In the same period, the imports from this country into France have increased nearly sixfold: in 1830 they did not exceed, according to the French valuation, the sum of a million sterling; in 1844 they amounted to 5,700,000*l.* In 1830 there were seven countries from each of which France imported more largely than from the United Kingdom—namely, from the United States, the kingdom of Sardinia, Holland, Russia, Germany, Austria (with its Lombardo-Venetian States), and Spain. In 1844 the imports into France were greater from the United Kingdom than from any other country in the world. The export trade from France to the United Kingdom has likewise increased since 1830, though with much less rapidity than the import trade from this country. On the average of the five years ending with 1834, the value of the exports from France to the United Kingdom was about 4,200,000*l.*; on the average of the five years ending with 1844, the value of those exports was 6,000,000*l.*, an increase of nearly 50 per cent. During the latter period, the export trade of France to this country has exceeded that of France to any other country; and it might be greatly increased, with no loss to the revenue, and to the great benefit of the people of this country, by a low *ad valorem* duty upon French wine, so as to augment the consumption of cheaper wines. Such an alteration in our tariff would be a more effectual protection against war, than the squandering of millions on national defences. It appears, likewise, from the tables of the Board of Trade, that France has become of late years one of our best customers. In the year 1830 there were sixteen countries to each of which we exported a greater amount of our produce and manufactures than we did to France. Those countries were, according to the declared value of our produce and manufactures exported to them in 1830—1st. The United States; 2nd. Germany; 3rd. The East Indies; 4th. Italy, and the Italian islands; 5th. The British West Indies; 6th. The Brazils; 7th. Holland and Belgium; 8th. The British North American Colonies; 9th. Russia; 10th. Turkey; 11th. Portugal; 12th. Mexico; 13th. Rio de la Plata; 14th. Cuba; 15th. Spain; 16th. Chili; and then, 17th. came France, and the declared value of our produce and manufactures exported to France was only 475,000*l*. in the year 1830. Now mark the difference in 1845. In that year the declared value of our produce and manufactures exported to France was six times as great as in 1830 (namely, 2,791,000*l*.), and France stood sixth on the list of our customers. The only countries to which we sent, in 1845, more of our produce and manufactures than we did to France, were —1st. The United States; 2nd. The East Indies; 3rd. Germany; 4th. The British North American Colonies; and, 5th, Holland. We sent, in 1845, more of our produce and manufactures to France than we did either to the British West Indies, or to Italy, or to the Brazils, or to China, or Turkey, or Russia. We sent in the same year twice as much to France as we did either to Belgium or Cuba, or Australasia; and thrice as much to France as we did either to Chili, to Portugal, or to Peru, to each of which countries we exported at least twice as much in 1845 as we did to France in 1830. Thus it appears that the French buy more from us than they do from any other nation; they sell more to us than they sell to any other nation, and they may justly be ranked among our best customers. And I am convinced that our trade with them might be indefinitely increased, to the great benefit of the people of both countries, by a judicious alteration of the duties on their staple produce. It is, therefore, for the positive pecuniary interest of France and England to be friends; and I believe that that pecuniary interest will in the long run prevail, and eradicate any hostile feelings, which, if they do exist, exist only among the stupid, ignorant, and prejudiced portions of the two nations. Sir, I believe that the majority of the thinking and reflecting men of this country entertain sincere respect and admiration for the great people of France. They acknowledge that in science, literature, and in the arts of social life, the French are at the head of European civilisation; that in most respects they are our equals; in some respects, perhaps intellectually, our superiors; in none our inferiors, except in the practice of constitutional government, which we have acquired by long experience, and which they would have rapidly acquired, had it not been for the imbecile folly of their late rulers. Every true Englishman must rejoice at the downfal of tyranny amongst them, must earnestly pray that every success may attend the efforts of the people to remodel their institutions, and that all jealousy may henceforth cease between the two freest and most enlightened nations of Europe. I may venture earnestly to express the hope that all real reformers of France and England will unite together to wage implacable war against the huge military and naval establishments, whose enormous expense occasions that burden of taxation which oppresses our industrious classes. We need them not, except when we distrust each other; for France and England, united in firm friendship, even when unarmed, are more than a match for the world in arms. I trust the House will pardon this digression, and permit me to return to the question of whether reductions might be made in our naval and military establishments. First, with regard to the Navy. The hon. Gentleman the Member for Sheffield, in a very effective speech, assigned three, and only three, causes for the great increase of the naval expenditure, since 1835. Those causes were, first, the mismanagement of the dockyards by the right hon. Baronet the Member for Ripon (whom I always believed, and still believe, to have been one of the best First Lords of the Admiralty we ever had in this country); secondly, the introduction of steam into the Navy, and the consequent building of steam vessels, steam docks, and other vast works commenced by the right hon. Baronet the Member for Tamworth, and which he left to his successors the unpopularity of paying for; and, thirdly, the cost of the packet service, arising partly from the condition that the steam-packets are built so as to carry guns and to become vessels of war. Now, according to the statement and estimates of the hon. Gentleman, the increase since

1835 amounts this year for new works to about 600,000*l*; for naval stores and the building and repair of ships, to about 1,100,000*l*.; and for the packet service, to 600,000*l*.; giving a total of 2,300,000*l*. But the whole increase of the Navy Estimates since 1835 amounts to 3,500,000*l*.; of this sum the hon. Gentleman has only accounted for 2,300,000*l*.; there remains, therefore, 1,200,000 unaccounted for. How is this increase to be accounted for? Why did the hon. Gentleman suppress all mention of it? Was it candid of him to lead the House to believe that he had assigned all the great causes of increase, when he omitted one of the most important ones? Or has he forgotten the enormous increase which has taken place in the forces of the Navy since 1835? In that year we voted for the Navy 15,500 seamen, 4,500 marines afloat, 2,000 boys, and 4,500 marines ashore, making 26,500. For this year, the estimate is 27,500 seamen, 5,500 marines afloat, 2,000 boys, and 8,000 marines ashore, in all 43,000. An increase since 1835, of 16,500 men, or of 66 per cent in our naval forces. This is a vast increase of the Navy. It is considerably more than double the force of the American Navy in times of peace—it is sufficient to man a fleet of eighteen hundred guns. Now the increase for the wages and victuals of these men alone amounts to 800,000*l*.; and I have no means of estimating the cost of the wear and tear of the vessels, and the other expenses contingent on employing them. It was said by the right hon. Baronet the Member for Tamworth that our vast naval forces are required to protect our commerce, which is to be found in every region of the globe. But to protect commerce we do not require 16 vessels of war, 750 guns, and 6,600 seamen in the Tagus and the waters of Portugal, as was the case in September last—a force not inferior to the strength of the whole navy of the United States in times of peace. To protect commerce we do not require fleets on the coast of Africa, on the coast of Spain, on the coast of Syria, or on the coast of South America, as has often happened of late years. To protect commerce we do not require huge line-of-battle ships stationed in the Mediterranean, but frigates and sloops of war cruising about the globe. Let us take a lesson from the United States. The foreign trade of the United States is next in magnitude to our own, and not much inferior to it. Wherever an English merchant is to be found buying or selling in the ports of Europe, Asia, Africa, or America, an American trader is likewise to be found. To protect that foreign commerce (and it is well protected) the United States had in 1845 (in addition to the force which we compel them by treaty to keep off the coast of Africa) only a frigate and a sloop of war in the Mediterranean; a couple of frigates and of sloops on the Brazil station; a frigate, a sloop, and a brig in the Pacific; a similar force on the Asiatic station (where, I may remark, they protected likewise our colonists in New Zealand); they had likewise one frigate wandering round the world; and one ship of the line (the only one in commission) was bearing their Minister to China to ratify a treaty with the Chinese Emperor. Now, the whole cost of their navy, to protect a commerce not much inferior to our own, did not in 1845 exceed 1,200,000*l*., or considerably less than one sixth of our expenditure last year for the Navy. With regard to the Army, it was said by the right hon. Baronet the Member for Tamworth, that we require a large force on account of the extent of our colonial dominions. Now the effective force in our colonies, on the 1st of January, last, was 35,792 rank and file. On the 1st of January, 1835, it was 31,359 rank and file; an increase of only 4,433 men. I will not stay to inquire whether this increase be or be not necessary. I believe that if our colonies were properly governed, and the Colonial Office were reformed, very few troops would be required for the colonies, say 15,000 men, to garrison a few fortresses like Gibraltar, Malta, or Quebec. But I will suppose, for the sake of argument only, that the military force at present required for the colonies ought to exceed, by four or five thousand men, the number in the colonies in 1835; that increase will not account for the increase of the estimates, which amounted in 1835, for Army and Commissariat, to 6,188,000, and which amount this year to 7,168,000*l*.—an increase of nearly a million. To what, then, is this increase owing? I answer, not to the colonies, but to the increase of the number of troops in the United Kingdom. On the 1st of January, 1835, the effective force in the United Kingdom amounted to 34,189 men, rank and file. On the 1st of January last the effective force in the United Kingdom, including troops on their passage home, amounted to 65,000 men, an increase of 31,015 men since 1835, or 97 per cent. For what purpose do we require this vast increase of force in the United Kingdom? Is it to preserve peace and order at home? Why, it is 20,000 men more than during the worst days of Sidmouth and Castlereagh; and since that period the facility of transport by railway has increased the efficiency of a small body of troops, and there is a well-organised police in the metropolis and in the great towns, and an armed constabulary in Ireland. Be assured, however, that the best means of preserving order are not by military establishments, but by educating and instructing the people; by making them good men, good citizens, and willingly obedient to the laws. I grudge the vast increase of expenditure on our armaments, not so much on account of the burden of taxation, as when I consider what might have been done with those sums in waging war against crime, and in rescuing from crime the juvenile portion of the criminal classes. Suppose a couple of millions a year (only one-third of the increased cost of our armaments since 1835) were applied to these purposes, what blessed results might not have been attained! For a moral and instructed people are the best security for order at home, the best safeguard against aggression from abroad. Is this increase of force required to defend our shores? But the invasion panic is now a source of ridicule to all men. The Monarch of the Spanish marriages has sacrificed his throne; the people of France are anxious to be the friends and allies of England. With regard to the Ordnance, I have already observed that a million was the average expenditure for that service in the years 1834 and 1835, and that the right hon. Baronet was contented with two millions, on the average; and no reason has been or can be assigned why a larger sum should be permanently required. It appears to me, therefore, that reductions might easily be made in the cost of the three services to the amount of three millions and upwards. And if the Army and Navy Committee do their duty upstairs, much larger reductions will be brought about. But a reduction of three millions would be sufficient, with the present revenue, to convert a deficit into a surplus of income over expenditure. Such a reduction in the cost of the Army, Navy, and Ordnance, would not be an extravagant one. It would still leave those establishments much larger and much more expensive than they were a few years ago. What valid objection can be urged against such reduction of expenditure? I beg the House and the country carefully to consider for what useless purposes these establishments have been so much increased of late years. On the plea of maintaining the influence, extending the commerce, and protecting the trade of the British empire, it has been the policy of every Government of this country to interfere in every conflict that takes place on the face of the globe—to meddle with the internal affairs of every nation—and to seize every opportunity of augmenting our vast colonial dominions. Hence we are perpetually engaged in some petty and expensive war, or in suppressing some rebellion among our remote and misgoverned subjects. Look at the history of England for the last ten or fifteen years. First we sent our buccaniers to Portugal to dethrone Don Miguel—then our condottieri, with their mercenaries, went to Spain, some to maintain the rights of the virtuous Christina, whilst others fought with equal zest in the "good" cause of Don Carlos—then we drove the Egyptian out of Syria, because he was less of a barbarian than the Turk. Meanwhile we managed by our mismanagement to stir up rebellion among the peaceable *habitans* of Canada. We next drove forth into exile 3,000 boors from the Cape—men fleeing from our tyranny—and then we sent an armed force to drive them back again, whence this Kafir war, on which we are lavishing millions. At the same time, greedy of worthless empire, we laid claim to the whole of barren Australasia, a territory as large as the continent of Europe. Then we proclaimed ourselves sovereigns of the islands of New Zealand; and, by means of our missionaries, foolish governors, and incendiary bishops, at once involved ourselves in a conflict with the warlike natives. In India, contrary to sound policy, we rushed among the fastnesses of Central Asia, where Greek or Roman had never penetrated—beyond the limits even of the fabled exploits of Bacchus—there we violated, burnt, massacred, and destroyed; made our name known and accursed among the Affghans; rifled the tomb of the dead; desecrated the sanctuary of Mahmood of Ghuznee; and carried off in triumph what in our ignorance we proclaimed to the princes of Ind as the sandal-wood gates of Somnauth. Then we coveted the hunting grounds of the

Ameers of Scinde, sought a quarrel with them, and despoiled them of their territory. Then we destroyed the army of the Sikhs. At the same time we ravaged the coasts of China, levied contributions on the celestial empire, as a punishment for refusing to take our poisonous opium. Hong Kong and Labuan are our latest acquisitions. Now we have an itching palm for Borneo; and if we listen to the noble Lord opposite (Lord G. Bentinck), we shall at once run a tilt with Spain for Cuba. These are the exploits which require such vast expenditure on Army, Navy, and Ordnance—or rather these are the consequences of our maintaining such vast establishments; for they stand to each other in the relation of alternate cause and effect; the establishments beget the exploits, and the exploits are the plea for the establishments. It is said that these exploits are popular with the merchants of Great Britain. I disbelieve it. But are they popular with the country gentlemen of England? If so, there is no help for it. We must pay for them, and pay dearly for them, out of our incomes. You object to the income-tax, on the ground that it should only be imposed for purposes of war. Your objection is invalid, for it has been, is, and will continue to be a war tax. It has been expended, every farthing of it, on increasing the establishments with which you have been carrying on the petty wars to which I have referred. Since 1835 you have added seven millions to your expenditure on the Army, Navy, and Ordnance—nearly the whole amount of the income-tax *plus* the present deficit. I have thus attempted to prove that the present financial embarrassment of the country has been occasioned by a vast and unnecessary increase of expenditure on the Army, Navy, and Ordnance. I maintain that, unless any unforeseen event occur, that expenditure can be so reduced, without detriment to the public service, as to relieve the country from financial embarrassment. But if Parliament will not consent to a reduction of expenditure, then an increase of taxation appears to me to be inevitable; for last year there was a deficit, this year there is to be a deficit; and to go on year after year with a deficit is contrary to every sound principle of finance, which prescribes that in a country like this the income should not only be equal to the annual expenditure, but should exceed the ordinary annual expenditure by two or three millions a year, so as to enable the country to meet unforeseen contingencies. Therefore the alternative for the consideration of the House is an increase of taxation or a diminution of expenditure. In asserting that expenditure can be so reduced as to relieve the country from its present financial embarrassment, I proceed upon the supposition that the revenue shall not be less than it is at present, consequently that there shall be no immediate diminution of taxation. For I cannot assent to the position that expenditure can be so reduced at once as to enable the Government to dispense with an amount of taxation equivalent to the income-tax. Nor do I consider that that position is involved in the Motion of the hon. Gentleman the Member for Montrose. If his Motion be carried, the income-tax will be continued in its present form for one year at least; at the expiration of the year Parliament will have to determine whether it shall be again continued in its present form, or in an altered shape, or whether some other tax shall be substituted for it. The reason for the Motion of the hon. Gentleman appears to me to be this. No one can look upon the present budget of Her Majesty's Ministers as a comprehensive scheme of finance calculated to meet the financial difficulties of the country, for it avowedly leaves a deficit of three millions and upwards. It must be considered, therefore, as a temporary expedient, until Her Majesty's Ministers or Parliament can determine what ought to be done. It should, therefore, be treated as a mere make-shift for this year, and consequently the hon. Gentleman the Member for Montrose proposes virtually to adjourn the consideration of the budget for one year. It is to be hoped that, at the expiration of that period, the Government will be prepared with a more statesmanlike budget than the present one, for they will have time to revise the taxation and expenditure of the country, and to devise plans for equalising the one and reducing the other. With these objects in view, I feel it my duty to vote for the Motion of the hon. Gentleman the Member for Montrose.

MR. MILES maintained that the increase of expenditure was caused by hon. Gentlemen sitting on the opposite side of the House. Did no one recollect the Motion of the hon. and gallant Captain, now in the Admiralty, the Member for Gloucester, relative to the half-manning of our ships? Did no one recollect how he was cheered from all sides, and that those ships which were half-manned, and were a disgrace to our Navy, were put into an efficient condition at great expense? The question with him was, whether the expenditure proposed by the Government was called for by the military and naval situation of the country. He should be most happy to vote with the Government as far as these estimates were concerned. He could not say that this increase had been inexpedient; he believed it had added to the stability of our present situation, and he thought also to the maintenance of peace. He dissented from the noble Lord with whom he had had the pleasure of acting now for some years, and he would shortly give the reasons for that dissent. Considering what had taken place within the last three years, he could not say that free trade had yet had a fair trial, and until it had had that fair trial proper inferences could not be drawn as to whether the right hon. Baronet or the hon. Gentlemen on the other side were right in the year 1846. There was only the dogma put forth at the time of doing away with the corn law, which had not proved true. The cry was—allow the free import of bread stuffs from America, and that will add excessively to the export of manufactured goods from this country; and the hon. Member for Westbury had stated that we exported to the United States about four times as much last year as we did in former years, owing to the very great import of bread stuffs into this country. But the hon. Member for Oxford moved for a return, some time ago, of the exports of corn, and he (Mr. Miles) had moved for a return of the countries from which they came, and by that they could tolerably well tell the sum that had been paid to America for the imports of bread stuffs taken by this country. He found that from the 10th October, 1846, to 10th October, 1847, 11,535,904 quarters of grain were imported at a cost of 30,873,437*l*. Out of this quantity 4,356,029 quarters were derived from the United States, at a cost of upwards of 11,600,000*l*. Now he wanted to know how much had gone in manufacture generally, and how much had gone in gold. There could not be the least doubt that three-fourths of the quantity had been paid for by gold. What was the difference between the exports of cotton goods in 1846 and 1847? He found that in 1847, as against 1846, there was 50,000 cwt. more of cotton wool imported into this country; but taking the cotton manufacture and cotton twist, there had been a decrease in the export of this material to the amount of 2,300,000*l*. The hopes and expectations which were entertained had not been fulfilled. Compare the state of the Customs now with what it was in 1842, of course deducting the income-tax. In 1842 there was a deficit of 2,500,000*l*., the revenue from the ordinary sources being 47,917,521*l*. Then look at the state of the revenue for the last year and the present, and see whether the income derived from those two years was equal to the year when he himself assented to the imposition of a 3 per cent income-tax. On looking at 1846, and comparing it with 1842, he found from the same sources of revenue only 47,554,711*l*. So that the deficiency of 1846, as compared with 1842, was 362,810*l*. Then, comparing the last year with the year 1842, he found that whilst in 1842 the revenue was 47,917,521*l*., in 1847 it was only 45,891,000*l*.; so that the deficiency from the ordinary sources of income in 1847, as compared with the income in 1842, was no less than 2,026,521*l*. Looking, then, at the state of affairs in this country, and the necessity of keeping faith with the public creditor, and considering that the position which the noble Lord had taken rendered it impossible that he should go back to taxes of import, he must for a limited period consent to the imposition of a property-tax. Seeing not the slightest possibility that next year the income would come up to the expenditure, doubting very much whether it would in the second year, and reserving the power, when it did exceed the expenditure, of objecting to any tax being removed except the income-tax, he could not hesitate giving his support in preference to one year to the imposition for three years.

Mr. BROTHERTON was unwilling to give a silent vote. He would not occupy the time of the House by discussing the comparative merits or demerits, or justice or injustice, of different taxes, or whether the income-tax, tea-tax, or house or window-tax, or stamp-tax, were most unjust; but he was quite convinced that the income-tax was unequal, and that it was possible it might be made more just. In that belief he had voted for the Amendment moved by the hon. Member for Cockermouth (Mr. Horsman). The question for the House to decide at this moment was, whether they should grant this tax for one year or for three years. He had given the subject very mature consideration, and must say that the eloquent and excellent speech of the hon. Member for Westbury had had great influence on his mind; and, although he might differ from some of his hon. Friends around him, he had come to the conclusion to support the resolution of the Chancellor of the Exchequer. With regard to making the income-tax more just, he proposed that a Committee should be appointed to receive evidence and consider the various methods to be adopted to render the tax more equal; but he was quite convinced they could never, by any discussion in the House, come to a sound conclusion—there was such a difference of opinion as to the practicability of rendering the tax more equal without increasing the inquisitorial powers of the commissioners. He had always been of opinion that, lay taxes as you would, they would in the end fall upon the industrious classes, and therefore he was for the reduction of expenditure in order to accomplish reduction of taxation. The country was now determined that there should be a reduction of expenditure and taxation. He admitted that hitherto there had been a degree of apathy in the country as well as in the House. He must confess he could not see in what way this country could be justified in the extravagant expenditure we had incurred for a number of years. He had always maintained the principle that if nations acted towards each other in a spirit of justice and kindly feeling, there was no occasion for large war establishments. It was a maxim amongst military men and others that the best way to preserve peace was always to be prepared for war. What had we done in this way? Since the peace in 1815 we had spent 600 millions of money as a sort of premium in insurance for peace; and according to the returns moved for by the right hon. Baronet opposite (Sir James Graham), in the last twenty years, including 1828, the Army, Navy, Ordnance, and Miscellaneous services had cost this country 350,000,000*l.* Last year the expense was 22,000,000*l.*; this year it was 23,000,000*l.* It was more than the declared value of all the cotton manufactures and yarn exported. We were purchasing cotton in America, and giving it all away. Thousands and tens of thousands were employed for the support of the Army, Navy, and Ordnance. This appeared to him to be complete insanity. He had looked over the divisions and found that since 1835 there had been eighteen divisions in Committees of Supply, and he had voted in fifteen of those divisions for a reduction of the Army, Navy, and Ordnance. On an average of years the minorities had not exceeded sixteen Members out of 658. Therefore, when he found hon. Members complaining of this increase of expenditure, he wanted to know what they had done to prevent it. The hon. Member for Buckinghamshire had thrown out a sneer as to the Reform Members; but it did not apply to the hon. Member for Montrose and others—they had proposed a reduction—they had resisted an increase, but were not supported by the House or by the country. There was great room for retrenchment; and if the Government would, on their own responsibility, set about retrenchment, they might considerably bring down the expenditure. We had seen by what had taken place in Paris that large armies were no protection to monarchs; their best security was in the affections of their subjects. Public opinion was stronger than armies. One nation increased its army, another imitated its example. As the increase in the army of one nation caused another nation to increase its armies, why might not the disarming of one lead to the reduction of the other? If we only acted in a spirit of just and conciliatory feeling towards other nations, we might produce that change of opinion—that spirit of peace both in this country and in others—which would enable Government to reduce to a considerable extent the national defences.

MR. CARDWELL: I am anxious, Sir, to state to the Committee, and I will state them as briefly as I can, the reasons which have induced me, after mature reflection, to give my support rather to the proposition which was originally made, than to either of the Amendments which have been offered. These reasons rest upon two considerations: first, upon the duty which I owe to the great and industrious community I have the honour to represent; and, secondly, upon those still higher obligations which have regard to the vital interests of the empire. I am very sensible of the weight with which any income-tax must bear upon incomes, the produce of industry, derived from uncertain sources; and I know how much that pressure must be aggravated when the impost, levied upon an estimate of former and prosperous years, comes to be paid in a period of unprecedented distress. But with these considerations heavily on my mind, yet when

I look at the financial condition of the country, and remember the exigencies of the Exchequer—and reflect that the possible revival of trade is intimately connected with the position of the Treasury, I find it impossible to withhold my support from the proposition made by Government. Let me dismiss from consideration the finances of the past year, and, looking only to the future, review the financial condition of the country as it will stand on the 5th of April. If I have rightly collected from the Chancellor of the Exchequer his actual position, his clear balance at the Bank will be somewhere between 6,000,000*l.* and 7,000,000*l.* on that day. But, in order to make his quarter's payments, he will require at least 9,000,000*l.*; for between 2,000,000*l.* and 3,000,000*l.*, then, he must necessarily be dependent on assistance from the Bank. There is no reason to expect, that in the ensuing year the income will fall short of the expenditure by less than 2,000,000*l.* On the 5th of April, 1849, the day to which it is proposed on the other side to limit the continuance of the income-tax, the Chancellor of the Exchequer will be in arrear to no less an amount than between 4,000,000*l.* and 5,000,000*l.* at the least. With regard to the public expenditure, I am one of those who confidently hope that a great deal may be done to relieve the depressed energies of the country by a rigorous retrenchment of expenditure. But, hoping this, having this object earnestly in view, can any man believe that the effect of his retrenchment will be seriously felt within the year ending on the 5th of April, 1849? Considering that, with regard to a large portion of this expenditure, the House has no option to exercise, for the engagements have already been incurred; remembering, also, that the great public works which had been entered upon, the fortification of our naval arsenals, are still in rapid progress towards completion—can any man sincerely say, that he expects a very large reduction of this expenditure to have been effected, so as to be felt within the next financial year? There are, indeed, grounds of encouragement, and I look for great improvement in the succeeding years. I trust there will be no wars in Caffraria, or elsewhere. Having already fortified Portsmouth, and Plymouth, and Sheerness, that cause of expense will cease. I trust that the bounty of Providence may have in store for us the blessing of an abundant harvest. I am willing to hope, even beyond any reasonable evidence for hope, for a revival of the energies of trade. But, entertaining all these anticipations, and carrying them to their most sanguine height, it is still impossible I should shut my eyes to the necessity under which the Chancellor of the Exchequer will be placed, of requiring, on the 5th of April, 1849, assistance from the Bank of England to the extent of between 4,000,000*l.* and 5,000,000*l.* Is that a state of things which you, either as regards the state of your finances or the commercial condition of the country, sympathising always with the position of the Treasury, can suffer to continue? And if you do not continue it, how are you to avoid the necessity of raising, by some tax on property or income, the amount it now produces? With the produce of that tax, by rigorous retrenchment and with improving trade, you may hope, in the two succeeding years, after the 5th of April, 1842, to buy in your deficiency bills, to clear off your debt, and to restore the Exchequer to a position of independence. "Well," said the hon. Member for Cockermouth, "granting that you are to raise the same amount by this tax, you shall not raise it by the same means. I will show you a more equal mode of raising it." And then the hon. Member went on to show undeniable instances of the inequalities attending the operation of the existing tax. And here, Sir, I will notice in passing an error into which the hon. Member for Westbury has fallen, in his admirable speech. He said, there was no provision made in the Act for the depreciation of machinery. I hold in my hand the Schedule of the Act which provides the allowance for that depreciation. Sir, I am as anxious as the hon. Member for Cockermouth for perfect equality of taxation. I am as desirous as he can be to obviate any injustice. This I must observe of the existing law—what the noble Lord, the First Minister, already has stated—that if it does not succeed in avoiding inequality, at least it has this advantage that it does not institute that minute mechanism of inquisition, by which alone it could have attempted to avoid it. That inquisition the hon. Member for Cockermouth proposes to institute; and I ask myself, when he has instituted it, will he succeed in obtaining the equality at which he aims? I have considered his plan, as he propounded it to the House, and so far from finding that it secures a perfect equality, I find in it new elements of inequality that do not exist under the former law. Let me mention two cases that will illustrate the operation of the plan. A widow, with an annuity of 160*l.* terminating with her life, is to pay 8*d.* to the tax. A Gentleman who, in Westminster Hall, or before the Committees of this House, is making an enormous fortune, will contribute 4*d.* Is this fair and equal? Can a more monstrous inequality be supposed? Yet this is an inequality foreign to the existing law; and I am asked to introduce it now by voting for the plan of the hon. Member for Cockermouth. Then look at the mode in which this new scheme is to affect the trading community. The existing tax is regarded as sufficiently inquisitorial. At present, if a gentleman is largely engaged in trade—suppose he is turning over 100,000*l.* in the year, a portion of that capital being his own; a portion the property of others, to whom he pays interest according to a fixed rate—the tax gatherer asks him no questions upon that. He takes 7*d.* in the pound upon the whole of the revenue produced, and leaves the merchant to adjust his own account by deducting a corresponding 7*d.* from the interest which he has to pay. But under the plan of the hon. Member for Cockermouth, the owner of the capital lent out at interest must pay 8*d.* to the Government—the profits in trade 6*d.* How is this matter to be adjusted? Only by an entire disclosure on the part of the merchant of the elements of which his capital, and the return it has produced him, are composed; a system of disclosure to which, I am sure, neither the commercial nor the retail trading interest, will submit with patience. The complaints of the inquisitorial nature of the existing tax are small in comparison of the indignation which would be excited by the plan of the Member for Cockermouth, when its practical working should come to be actually felt. Again, if all these minute disclosures must be made by the merchant, they must be made to some one—there must be an army of accountants and inspectors employed and paid by Government. But it has been one great advantage of the existing tax, that under the admirable public servants who conduct the Board of Taxes, it has hitherto been collected with a very small additional expense. Considering, then, fairly, and upon its merits, the plan propounded by the hon. Member for Cockermouth, I have not been able, either on the score of equality, or on the score of freedom from minute disclosures, or on the score of economy in collection, to prefer it to the existing plan. Am I without a warning from history against rashly adopting a measure of this kind, without carefully considering its application? It is true, as the hon. Member for Westbury has told us, that Mr. Pitt did at first introduce a scheme of that kind. And what was the result? It was found to be so inquisitorial, and so objectionable in other respects, that when upon the renewal of the war it was necessary to reimpose an income-tax, the experience of the country and the wisdom of Parliament abandoned the scheme, and adopted the principle of the income-tax. I have already shown you that the difficulties which were insuperable to Mr. Pitt, have not been overcome by the hon. Member for Cockermouth. But, says the hon. Member for Montrose, we are to vote not upon the details of the new plan, but upon the principle involved in the resolution. Sir, I demur to that opinion. I submit that we came here not as members of a philosophical society, to discuss an abstract principle —we came here as men of business, to consider the practical working of a plan, according to the details propounded by its author; and I think a very serious responsibility rests upon the Member of Parliament who, having that plan before him, votes for its adoption, well knowing in his own mind that, though it may be plausible in its general statement, it will not, in its practical operation, be conducive to the public good, or really more palatable than the existing tax to those who are required to pay. I think, therefore, we did right in refusing the proposition of the hon. Member for Cockermouth. "But," says the hon. Member for Montrose, "vote the existing tax, but vote it only for one year." That is the proposition now. We have seen that at the end of the first year there will be a deficiency which you will have to make good by the savings of the following years, and the produce of reviving trade. But will your trade revive if you leave this question open and uncertain? if you make no definite provision adequately to replenish the revenue? Confidence is the soul of commerce, and it is because here, as upon a rock, that confidence is built upon a steadiness of financial management to which other countries have been strangers—that England has been the pivot on which the commerce of the world revolves. Have I no warning what will be the consequences if this tax be renewed only for a single year? The noble Lord the Member for King's Lynn, without disguise, avows that he is desirous to replace the import duties, which he thinks you have so hastily removed. Consistently with that desire, he will give you the tax for one year, in order that he may the sooner persuade or force you to the renewal of Customs duties. My hon. Friend the Member for Somersetshire, in a spirit for which I may be permitted to offer him my thanks—in a spirit which I am sure the House will think honourable to his judgment and to his feelings, with candour says, "I opposed your free-trade measures when you brought them forward; but I admit that whether they are right or wrong, they have not had the fair trial to which at least they are entitled;" and he tells us he thinks the continuance of this tax for three years is essential to that trial, and he will therefore give it his support. Can I refuse to join my vote to that of the Member for Somersetshire?—shall I be weak enough to follow into the lobby the Member for King's Lynn, and refuse to the free-trade measures the fair trial to which, by the candid statement of their opponents, they are entitled. The noble Lord has opened to us his budget. He would reimpose the duty upon cotton. He would retain the duty upon corn. He would put a tax of 10 per cent *ad valorem* upon any import from the United States. He would double the postage. He would restore to the tariff all those items from which, by common consent, you have removed the duty. I am not prepared to accept his budget, and I will not consent to play his game. It is very painful to those who represent industrious communities to be instrumental in retaining any tax which presses heavily upon them. *Gratiora posse vobis dicere satis scio; sed vera pro gratis loqui, si meum non moneret ingenium, necessitas cogit.* The exigencies of the public service require it. I am free to admit that the Minister has a right to demand the independent support of those who acknowledge no party attachment to his cause. Charged with the Executive Government, he has a right to say to the representatives of the people, "You must not leave the Exchequer empty." I have discharged a painful task. I will advocate every just retrenchment of expenditure—every practical measure for promoting a perfect equality of taxation. If, in this time of danger, the difficulties of the country shall have been increased, that great responsibility shall not rest with me. If the energies of reviving trade shall be impeded, it shall not be because I have aided the noble Member for King's Lynn in imposing duties upon the raw materials of domestic industry. If the privations of those shall have been increased who can scarcely now keep body and soul together, it shall not be because I have aided in the reimposition of duties upon articles of the first necessity. I am sensible of the responsibility under which I act; but I believe that a conscientious and courageous discharge of duty best secures to us the confidence of our fellow-countrymen, while it assures us of that possession which is of still higher value, the approbation of our own judgment.

Mr. DISRAELI: Sir, the hon. Gentleman the Member for Westbury, in his lucid speech, has placed the question under discussion on its true basis. But although I agree with him that the real question at issue is the excellence or the evil of the new commercial system of this country, I must remind the hon. Gentleman, that in forming a judgment and taking a view of the effect and operation of the system, it would have been as well had he made that view as comprehensive as our experience. It would have become the hon. Gentleman if he had not called on us to form our judgment of that system merely on our experience of it during the administration of the late Minister. Let it be observed that the hon. Gentleman studiously confined his remarks to the time of the late Government. His motives for taking such a course are perhaps not difficult to apprehend. For instance, one proof of the success of the new commercial system, according to the hon. Gentleman, is the fact, that the late Minister was no longer obliged, like his predecessor, to apply to the Bank for large advances on deficiency bills; but the hon. Gentleman seemed quite to forget that only last April, under the influence of the same commercial system, the Chancellor of the Exchequer was obliged to apply to the Bank to make up one of the largest deficiencies ever experienced. The hon. Gentleman congratulated the House on another beneficial consequence of the new commercial system in the high rate of Exchequer-bills during the late Government; but why does the hon. Gentleman omit to remember that Exchequer-bills only a few months back had experienced a rate of depreciation quite unpredented? The hon. Gentleman, pursuing the same course, made also some other observations which greatly surprised me, coming from one who on these subjects is no mean authority. The hon. Gentleman stated that the country had been enriched twenty-fold the amount of the remission of duties, although we all know that the amount of that remission was no ordinary sum. Well, Sir, it would seem that the property and income-tax, in the year ending the 5th April, 1846, returned 5,603,000*l.*; and that the estimate of its return by the Chancellor of the Exchequer for the year ending 5th April, 1848, is 5,200,000; a falling-off in the tax of 403,000*l.* Now, Sir, if I multiply this deficiency by 34 (that is, 2*l.* 18*s.* 4*d.* per 100*l.*), we find that the national income has fallen off to the amount of 13,702,000*l.*; and if I add one-fourth for incomes under 150*l.* per annum, according to the estimate of the late Minister, we shall have a deficiency of 3,423,000*l.*, making altogether a falling-off in the national income of 17,125,000*l.* And yet the hon. Gentleman tells us that the country is enriched twentyfold the amount of the remission of duties, which remission is not less than 6,000,000*l.* per annum. The hon. Gentleman, in his observations on the value of our exports, called our attention to our increasing commerce with France, and made some very depreciating remarks on the value of our trade with our own colonies. Our trade with France is as valuable, he says, as our trade with eur sugar colonies. Now, if I were an economist, I should never appeal to the commerce between England and France as favourable evidence of the truth of the principles of which the hon. Gentleman is a votary. But, observe the fallacy which lurks in the comparison made by the hon. Gentleman. France is a nation of 35,000,000 of people, who consume little more than 2,500,000 of our products. The same amount is consumed by our sugar colonies; but the population of our sugar colonies is scarcely 1,000,000. The hon. Gentleman made another statement which greatly startled me. I may have misapprehended the hon. Gentleman, but I understood him to tell us, that the public debt under the new system had been reduced 20,000,000*l.* I do not at this moment apprehend how he arrived at this result, but I accept his statement. But when he says that the national debt has been reduced by 20,000,000*l.*, he forgets the amount which the national treasury received by the income-tax from 1843 to 1848, viz., 32,870,000*l.*, to which I beg to observe must be added an item strangely forgotten, the 6,000,000 of China money, making altogether a sum of 39,000,000. One can account for a reduction of the national debt to the amount of 20,000,000*l.*, when we find, during the period, the national treasury has received extraordinary aids to nearly double the amount. Sir, the hon. Gentleman has also said, that great as our sufferings have been, during the last year, they have not exceeded those of France. Now, I must say, I am extremely surprised at the hon. Gentleman maintaining that the commercial and financial embarrassments of France during the past year, have at all equalled those of England. Let me just call the attention of the House to the last speech of the King of the French to the Chambers. His Majesty then said—

> "Our commerce, thanks to its prudent activity, has been but feebly affected by the crisis that has been experienced in other States. We are reaching the conclusion of those trials. . . I reckon on your co-operation in order to bring to a conclusion the great public works which, by extending to the entire kingdom facility and regularity of communication, must open fresh sources of prosperity. At the same time that sufficient resources shall continue to be applied to that fruitful enterprise, we will all watch with scrupulous economy over the judicious employment of the public revenue; and I am confident that the receipts will cover the expenses in the ordinary budget of the State, which shall be shortly presented to you."

Why, Sir, that does not at all agree with the statement of the hon. Gentleman? The hon. Gentleman has also told us that all the taxes of the country come out of the industry of the country. That, indeed, is the principle upon which the whole of the financial scheme of the hon. Gentleman is founded. Sir, I deny the principle. It is the very point at issue. I deny that all taxes come out of the industry of the people of this country, or that they should come out of the industry of the people of this country. The very question at issue between us is this, whether the foreigner should not also contribute his share to the taxes of this country? Sir, the hon. Gentleman has also observed that the late Minister in 1845 confirmed and called upon the House to confirm the commercial principles which, under his advice, they adopted in 1842. Now, Sir, here again I entirely differ with the hon. Gentleman. I deny that the commercial principles which were propounded and carried into law by the Ministers in 1845 were the commercial principles which they introduced into our notice in 1842. Sir, when the Minister came forward with his measures in 1842, he found himself in this situation. I advert very briefly to circumstances with which we are all now so familiar. He had to supply a considerable deficit in the revenue, and he wished to revive commerce by a reformation of our tariff. His instrument for this purpose was an income-tax. Now, Sir, it is not for me to say what were the motives of the right hon. Gentleman when he first introduced the income-tax to our notice, after what he stated the other night. The right hon. Gentleman's own version is surely the one we ought to accept, and I trust, therefore, that no controversy on that point will arise again. The right hon. Gentleman has given in his adhesion to the principle of indirect taxation, and I am obliged to him for it; as for entering into the question of German translations of his letters to foreigners, it really is of very slight importance. The fact remains, and unless we succeed in our Amendment to-night, I fear, will remain, that we have an income-tax. But however obscure may have been the expressions with which the income-tax was first proposed, no one can deny that the Minister was quite frank and explicit as to the principles on which his commercial changes were proposed in 1842. To terminate prohibitions, to reduce protective duties to a moderate and practical amount, to raise a revenue by moderate duties on raw materials, and to admit the manufactures of other countries at duties varying from 12 to 20 per cent—these were the principles laid down by the right hon. Gentleman in 1842; and I am not surprised that, generally speaking, the House sanctioned those principles, and adopted them by an almost unanimous concurrence. [Sir R. PEEL: My plan was to levy 5 per cent duty on raw materials.] Exactly so—to levy a revenue by moderate duties on raw materials. But allow me to remind the Committee of a very important portion of the scheme of the right hon. Gentleman which was also promised us. This abrogation of prohibitions —this reduction of protective duties—this scheme of raising a revenue at very moderate rates on raw materials, and permitting foreign manufactures to enter on reasonable terms, was accompanied by an announcement to the House that the Minister was already in communication with several foreign nations for treaties of commerce. This was a prime and important element in these measures and our discussions. Sir, in all this, the right hon. Gentleman acted as great Ministers had acted before him. He acted exactly as Mr. Pitt did in 1787. He followed entirely the example of Mr. Pitt, who pursued the principles of other great men who had preceded him—Lord Shelburne and Lord Bolingbroke. And thus the right hon. Gentleman, when he proposed his commercial changes in 1842, announced at the same time that he was bringing all the influence of his justly powerful name, and of his singularly powerful Government, on foreign Courts, in order to obtain a reciprocal commercial intercourse between this and other countries. Sir, I gave to the right hon. Gentleman, on that occasion, an humble, but a sincere and hearty support. I never shall regret it. And I only allude, on this occasion, to a circumstance of such very slight importance, because, in a pamphlet entitled, *Pitt and Peel,* the author of which, for aught I know, may be sitting at this moment in the House, has done me the too great honour of referring to my conduct on that occasion; and therefore I tell him that I gave that support to the measures of the right hon. Gentleman, because they were founded on the principles which I have stated, and held out the promises to which I have referred. But, now we come to 1845—a period of time singularly glided over by the hon. Gentleman the Member for Westbury, who seems not so much the advocate of free trade, as the late Administration of free trade. On the subject of our present debate, I address few observations to the Government. I have a great respect for the present Government, for many reasons; but with respect to principles on economical subjects they have none, or if they have any, they are embalmed in a very valuable budget, which the right hon. Gentleman near me prevented passing in 1841. The present principles of the Government on these subjects are mimetic —mimetic of the late Government; and again, the principles on these subjects of the late Government are not original, for they are converts. Therefore, when I discuss the principles of the new commercial system, I address myself to the Gentlemen opposite below the gangway. They were proudly responsible for those principles when it was supposed they would increase the prosperity of the country; and they ought not now to avoid the moral, although they may the official, responsibility of having advocated those principles. I must therefore remind the hon. Member for Westbury, who was not in the last House of Commons, but who is so great an accession to the present, of what took place in 1845. It is very necessary that we should recollect that a great deal had happened in the interval between 1842 and 1845. During that period a great commercial confederation had arisen, very completely organised and conducted by very able men. They made great way in the country, and they promulgated opinions on commerce very different from those propounded by the late Minister in 1842. They were not the opinions of Mr. Pitt, of Lord Shelburne, or of Lord Bolingbroke. They were not the opinions of free trade, which I am prepared to support. Yes, I am a free-trader, but not a freebooter—hon. Gentleman opposite are freebooters. The great leaders of the school of Manchester never pretended for a moment that they advocated the principles of regulated competition and reciprocal intercourse; on the contrary, they brought forward new principles expressed in peculiar language. They laid down this principle, that you were to buy in the cheapest and sell in the dearest market. I deny that that is the principle of commerce. Commerce is barter. The principle of buying in the cheapest and selling in the dearest market is the principle of retail trade, and of a huckstering retail trade. Another principle laid down by these Gentlemen was, that you were to take care of your imports, and let your exports take care of themselves. These new principles were totally opposed to the principles of free trade. These were the principles, however, for which the country was agitated; and in 1845 the late Minister gave his adhesion to them. And here I must observe, that during the whole period that elapsed between 1842 and 1845, the late Minister never produced one of those commercial treaties which he promised us in 1842. [Mr. Gladstone: Because foreign Powers would not agree to them.] I want no more important admission than that which I have just received from a late Secretary of State. The attempt to induce foreign Powers to enter into commercial treaties failed; and, therefore, the late Minister adopted a principle which denied the expediency of obtaining such treaties. That was the state of affairs in 1845. Now, I maintain that the principles then acted upon, were not the principles of Mr Pitt. However, by virtue of the new dogmas which had been propagated by a powerful confederation out of doors, and which were directly opposed to the principles which Her Majesty's Government had theretofore professed, the House was again induced to renew the impost of the income-tax, and at the same time to cut off a revenue of more than four millions and a half of money. I have now stated precisely the difference between the Ministerial principles of 1842 and 1845. After having, as I believe, injured the revenue, or at least, as all admit, diminished the revenue to the amount of 6,500,000*l.*, the late Minister came forward in the next year, 1846, and still acting, I suppose it will be said, in conformity with the principles of 1842, repealed the corn laws, and then again diminished the revenue by the repeal of other customs duties to the further amount of 1,200,000*l.*, making a total diminution during his administration of more than 7,500,000*l.*, and then he retired from office. And here it is due to the right hon. Baronet to refer to an apparently triumphant statement which he addressed to the nation, through his constituents, only a few months back, on the success of his commercial measures, which he sought to establish by a reference to the state of the revenue previous and subsequent to his great changes. Perhaps I may be able to make the Committee hesitate before they accord to this statement the epithet of triumphant. I believe in that vindication is involved a great fallacy. I admit that at the first glance, especially in the heat of a contested election, nothing would be calculated to tell better than a statement from the late head of an Administration that he had reduced imposts to the amount of 7,600,000*l.*, and, that notwithstanding, the revenue (allowing for the effect of the reduction of the sugar duties by the Whig Government) had suffered only to the extent of about 700,000*l.*, compared with the revenue of 1841, the period when he assumed office. That statement produced a great effect at the time, somewhat diminished since both our revenue has decreased, and our exports have fallen off. Sir, I believe that a great fallacy pervades the line of argument adopted by the right hon. Gentleman in his address of last July. I deny that the state of the revenue is a correct test of commercial legislation. The truest and indeed the only test of commercial legislation is commercial prosperity. A Minister may think fit to cut off several millions from the revenue of the country, principally raised by duties on foreign articles; and yet the revenue may be supported by some peculiar internal and exceptional cause. The state of the revenue all that time would be no test of the state of the commerce of the country; and this will happen, that when the peculiar, internal, and exceptional cause ceases to operate, the Minister will suddenly find himself with exports on the one hand diminished, and revenue on the other rapidly falling away; and that I believe to be the real state of things in England at the present moment. Sir, I believe our foreign trade is declining, because our commercial system is founded on a principle injurious to our native labour, and opposed to the increase of the national capital. I remember once asking the late Minister, whether he were prepared to fight hostile tariffs with free imports; and I never could get a very definite reply from him on this head. Yet in the solution of that problem I cannot but believe the cause of our present commercial difficulties may mainly be discovered. Sir, I apprehend that the result of a trade carried on between a country which permits free imports, and one which maintains hostile tariffs, is, that the exports of the former are diminished in proportion to the amount of those tariffs, without diminishing, in the unprotected country, the demand for the productions of the people by which the duties are imposed. What is the consequence? The country of free imports is obliged to give more labour for the productions of the country which guards against interference with its labour by hostile tariffs. Thus England, by playing the game of free imports against hostile tariffs, entails upon the subjects of Her Majesty the necessity of labouring more to obtain the same foreign products; or, if labouring the same, receiving a less quantity of them in exchange. Our labour becomes less effective. What is this but the degradation of labour? But our new commercial system not only renders the labour of this country less valuable—it operates in another sense fatally on our fortunes, as we are experiencing at this moment. As it renders the cost of all foreign products, measured by our labour, more dear, it enhances the price of the precious metals, which are also foreign products. The same rule applies to gold and silver as to other foreign articles. Under the present system of free imports, the country is obliged to labour more to obtain the same quantity of the precious metals than it had to do before. The hon. Gentleman the Member for Manchester taunted me the other night with having said, that if the corn laws were repealed, all the gold would go out of the country; and yet, he added, the gold had come back again. Such observations may do very well for Covent Garden, but will scarcely suit the House of Commons. The gold has certainly come back; we know how it came back, and at what cost. It will go out again, and it will come back again, and by a process still more costly. On every occasion you will have to pay more for the precious metals; and the consequence will be, that gradually as your command over the precious metals diminishes, the range of your prices will proportionately lower, and the distribution of the precious metals throughout the world will be altered. I doubt whether, under such circumstances, you will be able to maintain those establishments, the expenditure of which is now so much criticised. I doubt still more whether under such circumstances you will be able to pay the interest on your public debt; I may even venture to suggest to you, whether in such a change you will be able to maintain your standard of value. At all events, two results must, in my mind, inevitably occur—the degradation of the national labour, and a new distribution of the precious metals opposed to all our previous economical relations. The Member for Westbury seemed to regret that foreign countries had not manifested a reciprocal sympathy with us in our commercial changes. But if the hon. Gentleman believes in his principles—if he really believes that we are to take care of the imports, and let the exports take care of themselves—why should he regret it? True it is that the right hon. Gentleman the late Minister, even in the fatal year of 1846, when he advocated the most extravagant doctrines of the Manchester school, and seemed to delight even in overstating his opinions, in order as it were to mortify us—true it is that even then the right hon. Gentleman seemed to have some slight misgivings on this subject of reciprocity; and, notwithstanding his dogmatic independence of the principle, was accustomed to hold out some cheering hopes of its occurrence. Did we not hear that Prussia was shaken? Did he not read to the House an address of Mr. Walker, the Secretary of the Treasury in the United States, promising a New Treasury Bill to Congress, founded on greatly reduced custom-house duties? Well, what has been the result? Has Prussia been "shaken?" My answer is, look to the recent legislation of the Zollverein. Where is Mr. Walker's New Treasury Bill? What is it? I can recall a passage in the message of the President in December, 1846, describing that measure. The President said, the measure had been misconceived; and he assured Congress that by its arrangements, foreign commodities imported into America, in no case paid a duty less than one-third of the cost of the production of those commodities. That was in December, 1846. What has happened since? Look to the Message of last year. Read the comments on the President's congratulations on the prosperity of the manufacturing interest in the Government journal, which I have in my hand. The President congratulates the manufacturing interest on their fears being dispelled; and the journal shows them that the protection they have always enjoyed, though changed in form, is only rendered more effective—that it is only a redistribution of protection—and that there is an average *ad valorem* duty of 28 per cent. So much for Prussia and the United States, from whom we were promised so much. Well, then, how is it with France? Have our hopes there been better realised? I remember on this subject the right hon. Baronet making a very remarkable observation about France. He said it was not the people of France who were opposed to a more liberal commercial intercourse with us, but the manufacturing and commercial aristocracy of that country. Well, the French have got rid of their commercial and manufacturing aristocracy. The people are lords paramount in Paris; but I must be permitted to doubt whether their recent acts are indicative of that strong desire for reciprocal commercial intercourse for which the right hon. Gentleman gave them credit. We have not been favoured lately with any remarkable evidence of the kindly feelings of the French people for English industry. I remember a noble Friend of mine, unhappily no longer a Member of this House, Lord John Manners, warning the late Minister on that occasion that he might be deceived, and quoting the opinion on the subject of a writer who, my noble Friend rightly said, expressed the real feelings of the working classes of France. That writer was M. Louis Blanc. M. Louis Blanc is now a leading Member of the Provisional Government of France; but if I am to judge from his speeches and his writings, he is not exactly the man who will come forward and propose such a commercial treaty with England as France was prepared to enter into with Mr. Pitt, in 1787. I make these observations in answer to the speech in favour of the late Government delivered by the hon. Member for Westbury. I must, notwithstanding his address, express my opinion that the present commercial distress, and the financial disorder that is so rapidly arising, are to be ascribed to the new commercial system—that, if that system be persisted in, our commercial distress and financial embarrassment will increase; and that if our financial embarrassment has not sooner arrived, it has been prevented by exceptional circumstances which have nothing to do with the new commercial system, but which, on the contrary, are of a character totally opposite to it. That is my position, and I am prepared to prove my case if the House will permit me. One advantage of discussing it fully now will be to prevent its recurring, and you will be able to pass your measures by those triumphant majorities that in a short time will ruin the country. I will not blink the question in the least. I will not bring forward a solitary item out of a tariff of 1,200 or 1,300 articles, and tell you that such an article was selling at so much before you abolished or lowered the duty upon it, and that you promised it would be so much cheaper, though that promise has never been fulfilled. I will meet the question completely—I will take as the territory on which I wish to investigate the consequences of your new system the very scene of that noble industry that produces the chief staple manufacture of the country. I will go to the province that is the fatal author of these pernicious principles, and I will show you the state of its population. I will show you the causes that have produced that state, and the hopeless condition which awaits them if you do not entirely change all the principles of your legislation. We will enter the county of Lancaster. It is scarcely necessary to enter into the general question of our exports. That there has been a considerable falling-off no one denies. I believe that they have been completely made up and published within these few hours by the Board of Trade, and that the falling off is somewhere about 2,500,000*l*. But, not to press upon that point, you recollect perfectly well that when the right hon. Gentleman the Member for Tamworth made his protection speeches, and carried every thing before him, and referred to the state of our exports, the Gentlemen opposite used to say, "You know nothing about it; the flourishing state of our exports to which you appeal is a proof of our poor condition —it is a proof of our manufacturing and commercial distress." If, therefore, I were now to press this point upon them, they might say that the state of our exports at present is the best proof of their prosperity. There is, as I have said, a decline to the amount of 2,500,000*l.*; and I am sorry to say that that great amount must be taken from the general exports of Lancashire. Here is a picture of the state of the principal districts, drawn by free-traders, for I quote from free-traders only. One of the most consistent free-traders states, that within the last month — I quote from the *Morning Chronicle* — unprecedented distress has become general; and it speaks of meetings of operatives being held in all parts of Lancashire, Derbyshire, and parts of Yorkshire. Among these meetings there is one of a somewhat novel character; for, instead of discussing the rate of wages, the meeting confined itself to a consideration of the means of emigrating the surplus hands among them to the United States. The project was adopted unanimously, and it was fixed to commence in a fortnight from that day. I am assuredly not surprised that it was adopted unanimously, as I have been favoured with a document that throws some light on the state of Manchester at the close of the years ending December, 1846 and 1847. The amount paid to the poor in the year ending December, 1846, at Manchester, to 48,000 persons, was 19,243*l.*; in the year ending December, 1847, there was paid to 149,504 persons the sum of 45,000*l.*; showing you the state of the operatives in that district. This shows the state of the trade and of the operatives. I will now enter upon the question of the cause of this condition. We have heard that the exports from Manchester have fallen off, and I am ready to show that there has been a decrease in almost all the foreign markets to which the goods of Manchester go. To Hamburgh — which port supplies Prussia and Hanover — there is a great decrease of all kinds of cotton goods (except cords and jeans) as well as of yarn. To Holland there is also a great decrease, and that without the exception of a single article. To Belgium there is a decrease of cotton yarn, thread, and cotton sundries, but an increase of plain and printed calicoes, cambrics, and muslins. To Denmark there is a great decrease of goods and yarn, but a slight increase of thread. Sweden and Norway give exactly the same results as Denmark. To Russia there is a decrease of cotton yarn, cotton sundries, printed cottons, cambrics and muslins, cords and jeans, but an increase of cotton thread and plain calicoes. To France there is a decrease of every description of cotton goods, as well as of yarn and thread. To Naples there is a decrease in yarn and plain calicoes, and an increase in cotton thread and printed goods. To Sardinia, Tuscany, and Trieste, there is a decrease of every article except cotton thread. To Egypt there is a decrease of yarn and plain calicoes, but an increase of thread and printed calicoes. To Gibraltar and Spain there is a decrease in every article. To Portugal and Madeira there is also a decrease of all. To Chili and Peru there is a general increase. To Mexico there is a very great decrease. To Columbia also. To the Brazils there is an increase of cotton yarn and thread, of printed calicoes, and of cambrics, but a decrease of plain calicoes. To the British West Indies there is a decrease in all articles. To the foreign West Indies, and the neutral port of St. Thomas, there is generally a decrease. To British North America there is a small decrease in most articles. To India there is a decrease in the exports of every thing except cotton thread. The decrease in the exports of plain calicoes is upwards of 64,000,000 yards, and that of printed calicoes upwards of 4,000,000. The decrease in the export of yarns is nearly 6,000,000 lbs. To China, Manilla, and Singapore there is a decrease in everything except cotton yarn. To Mauritius and Batavia there is an increase in yarn and plain cottons, and a decrease in every other kind. To the coast of Africa and the Cape there is a great increase, both in plain and coloured cottons, and also in yarn. To Australia there is an increase of cotton sundries and plain calicoes, but a decrease of other goods. To New Zealand and the South Sea Islands there is a decrease of all kinds of goods, and also of yarn. Now, as to the United States: there is an extraordinary increase in the exports of all articles to the United States. Though the exports generally from this country show a deficiency of 2,500,000*l.* this year, I admit that there is an increase in the exports of British manufactures to the United States to the amount of 2,000,000*l.*; but I am informed by one able to give correct information, that so far as the industry of Lancashire is concerned—and it is a rule that, I fear, will apply to every kind of British produce exported to America—the manufacturers of those goods have not received more than 67 per cent of their outlay. Now, what is the cause of this? I find that cause in what is called our free-trade legislation; and as an instance is worth a hundred arguments, I will take one of the most celebrated and, apparently, most successful measures of the new system, and trace in detail its working in the county of Lancaster, and its influence on profits and wages. I will take the last and most important alteration in our sugar duties—a measure from which very considerable benefit was anticipated both to commerce and the working classes. Now, I want to show the immediate effects of the change on the industry of which Manchester is the centre. For this purpose I will take two periods of 18 months; the first period being from February, 1845, to August, 1846; and the next from August, 1846, to February, 1848. During the first of these periods, and before the change of the sugar duties, there were exported to the British West Indies, Mauritius, Madras, Bombay, and Calcutta, goods to the value of 5,800,000*l.*, and there was left for profits and wages 4,000,000*l.* In the second period there was exported goods to the value of 4,650,000*l.*, and there was left for profits and wages 2,600,000*l.* To Cuba, Porto Rico, and Brazil, in the first period, the value of the goods exported was 2,400,000*l.*; and there was left, for wages and profits, 1,700,000*l.* In the second period the value of the goods was 2,800,000*l.*, leaving for wages and profits 1,800,000*l.* If the whole amount of wages and profits during the second period be deducted from the amount during the first, that is, if we deduct 4,400,000*l.* from 5,600,000*l.*, it will be found that, with the advantage of the change in the sugar duties, allowing a consumption of 23½ lb. of sugar per head, the factory population, 700,000 in number, while they have gained 68,542*l.* on the one hand, have lost in wages, on the other, no less than 1,161,695*l.* To that amount have you robbed the people of Manchester by giving them cheap sugar. Now, here is another equally significant statement on the same subject, for which I am indebted to a very intelligent gentleman, Mr. Burn, the author of that valuable statistical work, the *Commercial Glance*, of which I will give only the results. It is the statement of the exports of plain and printed calicoes to the sugar-growing countries during the same period to which I have already referred. And it appears that—while to the British West Indies, Mauritius, and the three markets of India, we sent in the second period of eighteen months, namely, the period subsequent to the alteration in the sugar duties, more than 62,000,000 of yards less of plain calicoes, and nearly 33,000,000 of yards less of printed calicoes than in the first period of eighteen months, namely, the period preceding the alteration—our increase in exports of plain calicoes to the Brazils, Cuba, and Porto Rico, was only 13,000,000 of yards, while the quantity of printed calicoes to these markets was stationary; so there was a total deficiency on all the exports to the sugar-growing countries on these heads, since the alteration of the duties, of 49,000,000 of yards. But I shall be told you are speculating on the industry of a district, the prosperity of which depends upon the supply of cotton, and that supply during the last year has been of an unprecedented scantiness. By no means unprecedented. In the first place, I do not mean to maintain that the quantity of the cotton crop is not an important element in the question. The cotton crop of 1847 exceeds that of 1839 by 440,000 bales. It was superior in amount, I apprehend, to the crops of 1841 and 1842. It scarcely could be the want of the raw material that arrested your manufactures last year, since you yourselves exported of that raw material double the quantity to the continent of Europe that you did in previous years. I admit, however, that the price of the raw material is injuriously high. What has occasioned it? Your free-trade legislation. It is the admission into this country, of slave-grown sugar, that has given a new impulse and direction to the energy and enterprise of the American planter. He has transferred to the production of sugar a considerable portion of the capital and labour that were before employed in producing cotton. Here is the trade circular of Wylie and Egana of New Orleans, dated the end of October, 1846, three months after the admission into England of slave-grown sugar. It tells you how that alteration in our tariff has roused the energy and enterprise of the American planters. Ninety-four new sugar estates had been established, and many plantations were passing from cotton to sugar. Yes, it is the transference of American capital to the production of sugar that reduces the quantity of cotton, and that transference has been occasioned by one of the principal measures of your new commercial system. Now, here is a letter from a noble Lord, for a long time a Member of this House, and who has a personal experience of our plantations. It is dated within these three days. Speaking of the planters of the United States, he says—

> "They are now withdrawing the slaves from the cultivation of cotton, and throwing their labour upon the sugar estates, owing to the increase of price on sugar. The consequence, and as beckoned upon, will be the running up the price of cotton from 5 cents to 10 cents or even 15 cents per pound; thus increasing the cost of the raw material to our manufacturers."

And this leads us to another of the great measures of the new commercial system, and one of those which principally led to the continued infliction of the income-tax. When the right hon. Gentleman in 1846 fully adopted the deleterious doctrine of the Anti-Corn-Law League, that if we took care of the imports the exports would take care of themselves, he tried his hand on cotton. He took off the light duty on cotton, and at one blow deprived the revenue of 640,000*l.* Let us see how this change benefited the country. The duty was reduced on the 19th March, 1845. The duty was 5-16ths of a penny. The price rose in the first three months 4-16ths of a penny.

PRICES OF COTTON WOOL IN THE LIVERPOOL MARKET

IN EACH THREE MONTHS OF THE FOLLOWING YEARS.

Periods.	1843.	1844.	1845.	1846.	1847.	1848.*
	d. *d.*	*d.* *d.*	*d.* *d.*	*d.* *d.*	*d.* *d.*	*d.* *d.*
First Three Months ...	$3\frac{3}{8}$ to $5\frac{3}{4}$	$4\frac{3}{8}$ to $6\frac{3}{4}$	3 to $5\frac{1}{2}$	$3\frac{1}{4}$. 5	$5\frac{1}{4}$. $7\frac{7}{8}$	4 to $5\frac{1}{2}$
Second Three Months...	$3\frac{3}{8}$. $5\frac{1}{2}$	$3\frac{1}{2}$. $6\frac{1}{2}$	3 . 6	$3\frac{1}{4}$. 6	$5\frac{1}{2}$. $7\frac{7}{8}$	
Third Three Months ...	$3\frac{1}{4}$. 6	$3\frac{1}{8}$. $6\frac{1}{2}$	$3\frac{1}{4}$. $5\frac{7}{8}$	$3\frac{1}{2}$. 6	$5\frac{1}{8}$. 8	
Fourth Three Months...	4 . $6\frac{1}{2}$	$3\frac{1}{4}$. $5\frac{1}{2}$	3 . $6\frac{1}{2}$	$4\frac{1}{2}$. $7\frac{1}{2}$	$3\frac{1}{2}$. 7	

AVERAGE.

	1843.	1844.	1845.	1846.	1847.	1848.
	d.	*d.*	*d.*	*d.*	*d.*	*d.*
First Three Months ...	$4\frac{9}{16}$	$5\frac{9}{16}$	$4\frac{1}{4}$	$4\frac{1}{8}$	$6\frac{9}{16}$	$4\frac{3}{4}$
Second Three Months...	$4\frac{7}{16}$	5	$4\frac{1}{2}$	$4\frac{5}{8}$	$6\frac{11}{16}$	
Third Three Months ...	$4\frac{5}{8}$	$4\frac{13}{16}$	$4\frac{9}{16}$	$4\frac{3}{4}$	$6\frac{9}{16}$	
Fourth Three Months...	$5\frac{1}{4}$	$4\frac{3}{8}$	$4\frac{3}{4}$	6	$5\frac{1}{4}$	

Thus when the duty of 5-16ths of a penny was taken off, the price from 3*d.* to 5½*d.* mounted to 6*d.*; that is to say, instead of falling 5-16ths of a penny, it immediately rose 4-16ths of a penny per lb. While you are suffering from the injuries inflicted by your new system, you are attributing them to other causes. You are suffering under a grosser monopoly than any you have destroyed; for a greater monopoly than that of the American planters does not exist. You talk of free trade. Here is a very recent City Article of the *Times*, an advocate of free trade, which has always supported your views:—

> "There are very strong indications," it is said, "that planters will use every exertion to withhold their crops from market much longer this season than ever before. The high prices ruling during the delivery of the last two crops has placed planters in an unusually independent position, and it now seems a contest between the consumer and producer as to which can wait the longest; the former heretofore has always prevailed, but, if he only knew it, the latter has the power—he could, if he would, live without his cotton crop longer than the spinner could or would without annihilation lay on his oars."

Of course he could. You turned up your noses at East India cotton as you have done at every thing colonial or imperial. The American planter commands his price. His price is factitious; he regulates the supply, and transfers his surplus labour to the production of slave-grown sugar. We are always taunted with not proving our case; but I have taken you to your own district, and traced the consequences of two of the great measures of your new commercial system. You say they have not had a fair trial. They have had a fair and a full trial, and an ample refutation. By removing the duty on cotton, you lost a great branch of revenue, and produced financial embarrassment: by changing the sugar duties, you have produced commercial distress. Are these not sufficient? What more do you want? Do you want the Manchester workhouse still fuller?—the poor rates still higher? Do you want cheaper sugar still? But though in the instance of the cotton duty we have lost so much revenue by the representations of the school of Manchester acting on a nervous Minister, we are told there is compensation for this fallacious and pernicious step, in the financial consequences of the measure respecting the sugar duties introduced by the present Minister in 1846, and which the late Minister somewhat grudgingly supported. The 640,000*l.* per annum which we have lost by permitting free imports of cotton, has been gained by allowing free imports of sugar. Yes, but in one of our ruined colonies, in one single colony, we have been obliged to supply rice for the support of the population, and to make advances on their coming crop, which are estimated at not less than 450,000*l.* What then becomes of the profit to the revenue? I say nothing of the merchants in this branch of commerce, who have failed in consequence of your legislation to the amount of 6,000,000 sterling. I cannot presume at this hour to enter into any other item of the tariff, although there are several which might be cited as illustrative of the pernicious tendency of our commercial system, and the consequences of which, if not so extensively disastrous as those to which I have referred, have yet proved economically as false and fallacious. I might take the trade in timber for instance. At this moment the class of Baltic timber mostly used in this country, which before the late Minister altered the tariff was selling in bond at 46*s.* 6*d.*, is now selling at 59*s.* 10*d.*, a rise in price which I do not think the most brilliant advocate of the late Administration will be able to account for by the stimulus given to trade by the altered Customs duty. I think I have now thrown some light on the causes which have plunged Manchester into distress. I think I have brought facts to bear upon the causes which have produced such false results in that confiding and ill-used district. I think I have shown that those results have sprung from the operation of two of the greatest measures of the Manchester school. Now, in speaking of these subjects, it must not be for a moment supposed that I mean to visit upon the present Administration the responsibility of the peculiar circumstances which surround them. I look upon them in the light of the hero of a Greek tragedy —as the victims of overpowering necessity. That necessity, whether it existed in the shape of protection or of free trade, could not be resisted; Ministers were obliged to fulfil their destiny. Neither am I anxious to visit upon the right hon. Gentleman (Sir R. Peel) the moral responsibility of measures which have proved so disastrous. The responsible parties, if they must be pointed out, sit yonder [*referring to the free-traders*]. As it is impossible to say what those parties will not do if they be not checked, I think it is important, after the experience we have had, that we should keep quite awake as to the measures which they may yet propose. At present, however, the question is, what is now to be done? My friends say, "Yes, it is all very well. We agree with what you say, that free trade is a great mistake, and the country is on the point of ruin. But what is to be done? We have a deficiency of 8,000,000*l.* to fight against;" the exact sum—and this is the moral of the Administration of the right hon. Baronet—this is the exact sum of which he deprived the revenue. This is the result of the doings of the great financial Minister who boasted of lightening the springs of industry. Yes, lightening the springs of industry. But the springs are broken. The machine no longer operates. We are told that the disasters which have overtaken us are a consequence of overtrading. Now, nobody can accuse the manufacturers and spinners of Manchester of having overtraded, because they have exported no goods, and have no stocks on hand; they have been the victims of a transatlantic monopoly, and your sugar legislation. We are told, however, that overtrading is the cause; but nobody can tell us what it is. I want to know before coming to the ways and means —I want to know from the right hon. Gentleman (Sir R. Peel) how it is, when proposing these fatal measures, which cut off an amount of revenue equal to the present deficiency—that he always recommended his measures on the ground that they would give an impetus to commerce? Why should he have adopted such a course if there was already a fatal tendency to overtrading? When he addressed the electors of Tamworth, he congratulated them and himself—them, that they had him for a representative; and himself, that he had been able to lighten the springs of industry and give new wings to commerce; yet we find him, not more than six months afterwards, asserting that overtrading had been the cause of our commercial misfortunes. I do not believe that those misfortunes are to be attributed to overtrading. But I want to know if they are, who are responsible for it? Is it the Minister who boasted of having lightened the springs and stimulated the activity of industry? Or is it those who are the secret authors of all the mischief, who came to the Minister and complained that they were "cabined, cribbed, confined" in the exercise of their manufacturing and commercial industry, and who told him that all would be right if he followed their advice and made trade free. The Minister believed them. He imbibed their opinions. He gave freedom to commerce, and I want to know where it is? Free she may be, but she is wandering about, and no human being knows where to find her. Well, we have a considerable deficiency through your new commercial legislation; and I wish to state who I think the persons are who ought to supply the ways and means for that deficiency. I think the obligation of making good what has been lost falls upon the Gentlemen who have caused the mischief. Now, the mischief—I will not say the whole, but the greater part of the mischief—has been occasioned by a work which may be fairly styled the greatest work of imagination of the nineteenth century—the evidence taken before the Import Duties Committee. If the right hon. Gentleman (Sir R. Peel) will come forward magnanimously, and, instead of saying that he will never change his opinion—I always thought, by the by, that on economical subjects a man might be justified in changing his opinions—if the right hon. Gentleman, I say, were to come forward, and admit, for example, that the experience of the last three years had convinced him that he was wrong—if the noble Lord would come forward with the same candour—and if the school of Manchester would come forward and say that they have been ruined by their own act—why then I will agree to your income-tax. But if you obstinately adhere to your opinions—if the Government assert that its commercial policy is perfectly right—if the Manchester school will acknowledge no change of opinion, I will take your assertions as your genuine belief; and I maintain that there is no necessity whatever for your income-tax, and that you have ample resources in the alleged consequences of your enlightened legislation. I find these resources in the work I have already referred to—a work certainly of the highest authority, for the right hon. Gentleman the Member for Tamworth declared that it was the basis of his financial legislation. I should first notice the Gentleman to whom I have already made an allusion, as it would seem he challenges me to do so—I mean the hon. Gentleman the Member for Glasgow (Mr. M'Gregor). He seems to think that on a previous occasion I grievously misrepresented his opinions. Now, all that I said was this, that the hon. Gentleman, in his evidence before the Imports Committee, stated, in substance, that if the corn and provision laws were repealed, it would be a gain equal to 100,000,000*l.* a year to the country, that is to say, about 2,000,000*l.* a week. [Mr. M'Gregor: I did not say that.] I will tell you what the hon. Gentleman's words were. I find at page 80—[Mr. M'Gregor rose]—I hope the hon. Gentleman will not interrupt me; I shall hear what he has to say with the greatest patience when he addresses the House. I can assure him he shall not be misrepresented. I shall quote his own evidence as reported by the shorthand writer, and corrected by the hon. Gentleman himself. I hope that will satisfy him. Mr. M'Gregor was asked—

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* 1848 is to March 6.

> "Taking the gross amount of the revenue paid into the Treasury at 50,000,000*l.*, have you been able to form an opinion of what proportion this additional tax upon the food of the country would be?"

Mr. M'Gregor answered—

> "I consider the taxation imposed on the country by our duty on corn and the provision duties and prohibitions as far greater, probably much more, than double the amount of the taxation paid to the Treasury."

I know the hon. Gentleman said, the other night, that he included in his estimate tea, tobacco, and other articles; and wished to convey the idea that I had given too limited a meaning to his expressions. I am sorry to say, however, that I cannot allow the hon. Gentleman to get off so easily. He was not content with giving his evidence—he was not content with his five days' examination. The hon. Gentleman favoured the Committee with a tariff of his own; and that tariff was considered so valuable that it was printed in the appendix. Now, so good an opinion had the hon. Gentleman of the duties on tea and sugar, that he left them untouched; and, as regarded tobacco, he actually added to the duty 6*d.* per lb. So the hon. Gentleman cannot ride off on that horse. I do not wish by any means to misrepresent him; and the reason why I have singled him out is, that he is one of the prime authors of those measures whose effects and consequences we are considering. Ever since I have had the honour of sitting in this House, I have heard the hon. Gentleman spoken of as one of the highest authorities on financial and trade questions. I believe that, as an author, the hon. Gentleman is the most voluminous in the English language. If you add the works of St. Thomas Aquinas to those of St. Bernard, you will scarcely equal him in number. I have always regarded him as the writer who had formed the statistical spirit of the age. I have read his works, but I will not say I have risen from their perusal "a wiser and a better," though perhaps a duller man. But the hon. Gentleman has done more than form the minds of Members of Parliament—he has actually formed the minds of Prime Ministers. He is confessedly and avowedly the author of the fatal measures of 1845 and 1846. I certainly have not for this statement the words of the hon. Gentleman reported by a shorthand writer, and corrected by himself; but I have his declaration, copied from his own newspaper, with the attention of the public called to it in a leading article written by a pen with which it seemed to me I was familiar. I must quote this declaration to the House, because, if I have a weakness for anything, it is for modest merit; and I like no man to be deprived of the fame which is his due, even though it be for burning down a temple. It appears that when the hon. Gentleman was canvassing the electors of Glasgow, a gentleman of the name of Andrew Gow relieved the tedium of a public meeting of the supporters of the hon. Gentleman by asking him if he had not prepared the tariff of Sir Robert Peel? It is stated in the report, that the abruptness of the question rather took the meeting by surprise, and that considerable uproar occurred, which was not allayed till the hon. Gentleman, against the wishes of the majority of the meeting, expressed his willingness to answer the question, which he did as follows:—

> "If Sir Robert Peel had been in office, and if he (Mr. M'Gregor) had been in the office of the Board of Trade, no consideration would have induced him to answer the question. But as Sir Robert Peel was not in power, and as before coming to Glasgow he had resigned his connection with the Board of Trade—[The report went on to say that this remark elicited tremendous applause, which lasted for several minutes, and prevented the completion of the sentence. Silence was at length restored, and Mr. M'Gregor proceeded]—I say, that Sir Robert Peel being out of office, and I no longer in the office of the Board of Trade, I have no hesitation in informing the Gentleman who put the question, and this meeting, that I had the honour of preparing the whole of the schedules, the report, and the resolutions which were submitted to Parliament on the subject of the tariff, and in the arduous task I was assisted by no man but my private secretary, Mr. Lack."

I must own, that the reading of this report produced no little impression on me; and I regretted some things which had been said in connexion with those schedules and resolutions, and which originated in the erroneous impression that the professed author was the real author, and not merely the organ of another. It appeared that the right hon. Gentleman the Member for Tamworth had not only not been the originator of the new tariff, but that he had not in its construction filled even as responsible a position as "my private secretary, Mr. Lack." Let the honour of the recent changes be attributed to their real author. When the hon. Gentleman made the statement which I have just read, he, perhaps, thought this country was in a state of great prosperity; but even now, when its great distress is rather more evident, and when, instead of being the great first cause of commercial reform, the hon. Gentleman has subsided during a late debate into "a simple journeyman" in the affair, the real author must not be forgotten; and, suffering under this mournful deficit, I want a portion of the 100,000,000*l.* which he said would be gained by his contrivances. Then there was another great name always introduced into discussion before the new commercial system was adopted. It was one of universally acknowledged weight, and exercised at the time an irresistible influence—that of the late Mr. Deacon Hume. This eminent Gentleman, in his estimates, was more moderate than the Member for Glasgow. Mr. Deacon Hume was asked by the Imports Committee—

> "Did you ever make a calculation" (they had

all made calculations) "as to the amount which might be saved from wheat and butcher's meat, if the existing landed monopoly was done away with?"

He said he had, and that the amount was

—"36,000,000*l*. per annum, which the people are, in fact, paying as completely out of their pockets as though that amount was levied by direct taxation."

Now this is the evidence upon which those laws were passed which have ruined Lancashire. But it seems, that this estimate of Mr. Deacon Hume, though liberal enough, did not quite satisfy the Committee. There was a murmur of disappointment; and one of the Members, I apprehend my hon. Friend the Member for Montrose—always at mischief—whipped Mr. Deacon Hume up a little, and after this stimulus of cross-examination by his own friends, Mr. Deacon Hume was brought to admit that, one way or other, the loss to the people from the monopoly in question was equal to the whole revenue of the country. Now, I quote none but the evidence of persons who were in important official positions, or were Members of this House, because their evidence was the basis of legislation, and because they are the persons to whom in this moment of distress we may look for counsel and succour. There is the learned Doctor, for example, the Member for Bolton. He favoured the Committee with an estimate, too, of our loss from the corn monopoly. A very moderate one—only 11,000,000*l*. per annum; but still even that sum was an object to a ruined people. Then, too, as I returned to the House after dinner, I heard a voice in distress, moaning in the wilderness, for it was very thin, announcing that the country was ruined, and that we must "nurse our resources." It was the Member for Stirling. That Gentleman, too, in the then humbler position of Mr. J. B. Smith, had favoured the Imports Duties Committee with his valuable information. This is his evidence. Mr. J. B. Smith expressed his belief that the corn laws were a greater burden to the people than all the State taxes together. Pretty well! But the hon. Member for Glasgow and his 100,000,000*l*. per annum had spoiled the appetite of the Committee for anything so moderate. The hon. Member for Montrose took this witness in hand too—desired him to reconsider his estimate, and state the ground for his opinion. Upon which Mr. J. B. Smith, on reconsideration, admitted that the loss could not be less than 60,000,000*l*. per annum, and might be 90,000,000*l*. These are the resources, I suppose, which he now calls upon us to "nurse." Ah! Sir, it is no laughing matter, when we remember that the country has been ruined by the legislation impelled by these opinions. And I am not at all surprised that the noble Lord, whom I am glad to see again, and whom, I am sure, we all hope for many years to see among us, should, when he recollects that he is governing a country whose laws are based upon such evidence, occasionally feel a little indisposed. This evidence gave the first impulse to the Manchester confederation. I need not, I am sure, remind this House of that picture of the brilliant future of England which was drawn by the great leaders of that confederacy. I never undervalued the talents, the energy, or the earnestness — I only wish there had been the same talent, energy, and earnestness elsewhere — of the hon. Gentlemen the Member for the West Riding and the Member for Manchester. These Gentlemen may be said to be the representatives of two great principles—Peace and Plenty. Yes! Peace and plenty amid a starving people, and with a world in arms. I must call the attention of the House to those Gentlemen, because after all their measures that have blown up, all their delusions which have evaporated, all the national distress and misery which they have occasioned, I find those hon. Gentlemen, not content with what they have done already, threatening us with another confederation, and another league. Now we are told there is to be a league for fiscal reform. I limit its object to what I have heard proclaimed in this House. I will not notice the more detailed programme which met my eye to-day in a respectable liberal paper. I see by that, that they do not mean to limit their efforts merely to fiscal reform, but to alter the law of primogeniture, to obtain a better representation of the people, and a variety of other measures, in respect to which, if I thought them formally responsible for them, I should have been prepared with the document to refer to. I notice, I will not call it the threat, but the promise of fiscal reform. The object of this confederation is to throw the taxes of this country upon what, according to the slang of the day, is called realised property, and especially the land of England. All I want to do is to take this opportunity of reminding those

Gentlemen who are so ready to throw the burden of taxation on realised property, and always on the landed interest, that by the most authentic evidence the fact is established, that the land is held by 200,000 proprietors, who divide among them a rental of 34,000,000*l.*, leaving them, on an average, 170*l.* a year; and of those a great many must have, of course, much more so, and a great many must have much less. In fact, I believe, that if the question were examined, it will be found that the great fortunes are not among the landed proprietors of England, but in other classes of the community. And when they talk of throwing the burden of taxation on that body, I want to know what the statesmen of the north of England, the yeomen of the south, and the copartners of Lincolnshire, who have succeeded their fathers in the cultivation of the soil, and are as little competent to bear exclusive taxation as any class, will say. Nor can I believe it to be at all clear, if I turn to the other great branch of realised property, that it will be found a mere aristocratic element either. I need not remind the House that at the last payment of the dividends, 300,000 warrants were issued, of which one-third were for sums not exceeding 5*l.*; 50,000 warrants for sums not exceeding, and many less than, 10*l.*; and the very few large sums of which we hear so much, include the investments of banking and insurance companies, which is the capital of this commercial world. Therefore I can fancy nothing more fallacious, nothing more delusive, nothing more unworthy of the talents and intelligence of the Member for the West Riding than the doctrine of exclusive taxation on what he calls the realised property of this country. But what does all this mean? Sympathy for the people, a deference to popular interests—a regard for popular rights? Let me remind the House, not of a chance expression used in the heat of debate, but of an expression which had been repeated, and in cool blood. Have we not heard it stated here, by no less a person than the hon. Member for Manchester, that the Gentlemen opposite to me are a middle-class Government—that they look to the middle class for power, and the middle class look to them for their advantage. A few years ago was it not held out as the greatest opprobrium that the agricultural interest was supported by class legislation? Were we not told on every occasion—on every opportunity—in every manner—that class legislation was the great evil of the country? But now that they have obtained their ends—now that they have passed their measures—now that their beautiful commercial system is working its results—now that they think they have confirmed themselves in political authority and parliamentary power—they have the unblushing front to say the Government shall be a middle-class Government, and shall work solely for the middle classes. Sir, I do not believe that after all that has occurred, Gentlemen here are so dull in apprehension, or so dead in spirit, that they will submit, without a struggle, to this. No, Sir, if we have thought it wise to terminate those commercial distinctions which are supposed, I think erroneously, to have affected our social condition, it will be but a poor consolation for us to discover that the only return we have for a diminished revenue and a declining commerce, is the arrogant authority of a class who obtained power by false pretences, and now, possessing it, attempt to exercise it merely for their own advantage.

Mr. W. GLADSTONE: I wish, Sir, that I could hope, in any degree, to sustain that lively interest with which the remarkable speech of the hon. Gentleman who has just sat down has been heard by the whole of this assembly. But, not attempting a display to which I feel myself entirely unequal, I shall think it my duty to pass most lightly over those matters of a personal description upon which the hon. Gentleman chiefly touched. I feel that greater interests demand our attention. We are called upon to give a vote in a critical state of the country and of the world; and although it may be well in its time and in its place to discuss the conduct of Administrations not now in office, and to expose the crude or exaggerated opinions vented at former periods by different individuals who could not have been expected to arrive at once at infallible truth upon so complicated a subject; yet, if I understand aright the character of the British House of Commons, these are not considerations which will influence mainly the ultimate decision on this question. I must, however, for a moment refer to what the hon. Gentleman has said of the late Government; and here I would address myself to Gentlemen on this side of the House. Let them observe what is the policy which is now assaulted. It is not merely the policy of 1846; it is not merely the repeal of the corn laws. The very first steps that you took towards the relaxation of the restrictive system, and the very first measure with that object that was adopted, have fallen under the withering censures, if censures they are, of the noble Lord and the hon. Gentleman. It is true that the hon. Gentleman made a distinction between 1842 and 1845. In one of his parentheses the hon. Gentleman told us that had he the time sufficient for such a purpose he should lay before the House in detail the consequences—the fatal consequences—of the measure which was adopted in the year 1842 with respect to the timber duties; yet we heard him at the same time saying that the measure of 1842 was a reasonable measure, and had his support; but in 1845 he told us that it was essentially changed, and hence the evil results of which, according to the hon. Gentleman, it had been a most fruitful source, and he opposed it then. In the course of his speech, the House has heard the hon. Member for Buckinghamshire draw a distinction between the measure of 1842 and that of 1845, and while seeking to establish the difference subsisting between them, he spoke of my right hon. Friend the Member for Tamworth as having adopted the doctrines of the Manchester school of economy, whence issued, if we are to receive implicitly the opinions of the hon. Gentleman, an incalculable amount of suffering and disaster to the country. Now, for the purpose of showing to the House in a manner which cannot be otherwise than satisfactory and conclusive as to the real opinions of my right hon. Friend, I propose to take the liberty of reading two brief passages from speeches of his; and I have no doubt that even at this hour of the night you will willingly hear them, when you remember that they proceed not from me but from him. The first of the two passages which I propose to read is in the following words:—

> "I believe that in the general principles of free trade there is now no difference of opinion, and that all agree in the general rule that we should purchase in the cheapest market and sell in the dearest."

That is something, I believe, like the Manchester school. The hon. Gentleman referred again to the negotiations for commercial reciprocity with foreign countries, in which I told him we had failed; but we did think the experiment should be made. We thought it well worth trying, and worth all the labour which it was at all probable that we should be required to bestow upon it. We thought that to enlightened commercial men the principle of reciprocity would have been acceptable—that to remove all impediments which stood in the way of exchanging the produce of one country for that of another, would have appeared a reasonable and natural scheme. It is perfectly true that in those attempts we failed. For years together we laboured for their accomplishment. But when we came into debate with foreigners of affluence, when we discussed this question with foreign countries, any attempt to impart to them the views which we entertained, placed us in a hopeless position, and we were therefore compelled to act for ourselves; and the hon. Member for Buckinghamshire imputes to my right hon. Friend that he acted solely upon the Manchester doctrine, and not upon the opinions which my right hon. Friend avowed in 1842, and in the maintenance of which he had the support of the hon. Member for Buckinghamshire. In the course of the commercial discussions my right hon. Friend said—

> "We have reserved many articles from immediate reduction in the hope that ere long we may attain that which would be just and beneficial to all, namely, increased facilities for our exports in return. At the same time I am bound to say that it is for the interest of the country to buy cheap whether other countries will buy cheap from us or no. We have a right to exhaust all means to induce them to do justice; but if they persevere in refusing, the penalty is on us if we do not buy in the cheapest market; but I believe firmly that the example England is now setting will ultimately prevail."

Now, the whole charge against my right Friend is, that he held language in 1842 which was not consistent with that held by him in 1845. I beg the House to bear in mind that both the passages which I have read were delivered by my right hon. Friend in 1842. In both those passages during that year, my right hon. Friend plainly avowed the cautious and moderate opinions which at that time received the energetic and valuable support of the hon. Member for Buckinghamshire: surely at a crisis like the present we are called upon to give our votes free from the influence of personal considerations. I hesitate not to affirm that public credit lies at the foundation of this question; our whole commercial system is, to a greater or less degree, dependent upon it. It does not merely affect the profits of capital, but it affects likewise the subsistence of the people, the peace and order of the people. In times like the present we ought to show that all our minds are firmly set for peace. In a moment like this, when a revolutionary panic prevails almost throughout the world—when the firmest Throne in Europe has been shaken to its very foundations and overturned—when, in the language of Scripture, "men's hearts are failing them for fear"—in times like these, when we are called on to use our utmost endeavours to render men's minds steady in the midst of convulsions—in such circumstances we are called upon to separate from a discussion such as this every thing that does not bear essentially upon the measure in question. Acting myself upon this advice, I shall say, not that we have three courses open to us, for that phrase would probably not be acceptable to the hon. Gentleman; but, if I must not say three courses, I at least may affirm, that three plans are before us. In the first place, we have the plan of the noble Lord, which is supported by the hon. Gentleman, who would give us an income-tax for the purpose of driving on a particular system of taxation, not with the view of reducing the public expenditure, but with the view of reimposing the Customs duties. Next we have the hon. Member for Montrose concurring with the noble Lord only on the matter of the income-tax, and agreeing to it for one year, in order then to introduce and press upon the Government such reductions as will equalise the expenditure and income of the nation; and, lastly, we have the plan of the Government. The arguments of the noble Lord appear to me to be altogether founded upon an allegation that the system of commercial legislation proposed by my right hon. Friend has been unsuccessful. Now, we never undertook that it should be successful in all its parts. Such are the adverse allegations, and such is the first issue which the House has to try; and we have been far advanced in the trial of that issue since we have heard the speech of the hon. Member for Westbury—a speech not more to be admired for its dispassionate tone than for its enlightened array of facts and arguments; and we also have the hon. Member for Buckinghamshire, in one of his most considerable efforts, opposing the hon. Member for Westbury; but in any attempt of mine to bring back the House to the true merits of the question under discussion, I am not only oppressed by the magnitude of the subject, but bewildered by the variety of topics which it offers to view, whether they relate to imports or exports, or to revenue; but still, even against these disadvantages I am ready to abide by the trial. Looking, then, at the reasonable expectations that might have been entertained from my right hon. Friend's plan of commercial legislation—not adopting the views of sanguine or speculative men, but confining ourselves to reasonable expectations—I will say that no one ever promised equal and uniform prosperity from the measures of my right hon. Friend. We knew—as who did not?—that in commercial fortunes there must be an ebb and flood. It was enough if our proposed freedom of trade was calculated to heighten prosperity and to mitigate the sufferings of the people in the day of affliction. That, at least, has been effected by the legislation of the late Parliament. I propose to begin by applying myself to two articles—first, the timber duties, and, next, the duties on silk; and I wish for the present to pass by brandy. I will state, what indeed is perfectly clear, that when we speak of the alteration of the timber duties, essentially different questions are involved—the questions relating to colonial timber is distinct from the question relating to foreign timber. As regards colonial timber, it was resolved, and I think wisely, to cease from treating that as an article of revenue. It was a raw material produced in the British dominions, competing with the home-grown article; and the heavy sacrifice of half a million of revenue was involved. This is not a case that can be brought to bear on the principles of free trade. But let us try the question as regards foreign timber. On this subject I will make a very brief comparison, and will deal with timber exclusively, for, as the mode of reckoning other descriptions of wood goods was altered in 1842, and a different classification adopted, there exists no accurate means of comparison with respect to them. What are the tests of success in a question of this kind? If you find a great increase of import, and a gain also to the revenue, is not that all the success that was ever promised? In 1841, which I think the fairest year to take—for 1842 was a year of almost commercial collapse and paralysis—there were 131,000 loads of foreign timber imported into this country, and the revenue received thereon was 411,000*l.*, after deducting 60,000*l.* paid on drawbacks for timber used in Cornish mines. With 1841 I am not afraid to compare the unfortunate year of 1847—though I do not think it is a fair comparison; and the hon. Gentleman the Member for Somersetshire justly observed, in a manner highly honourable to his candour, that it could not be fairly alleged that these measures which had been passed have yet had an equitable trial. Nevertheless, I am content to take the year 1847, and to try the question by that test. The duty in the meantime had undergone an immense reduction, from the amount of 56*s.* 6*d.* to the amount of 21*s.* With that reduced duty the quantity of timber imported had increased from 131,000 loads; the quantity in 1841 to 437,000 loads; and the revenue, whilst almost two-thirds of the duty had been taken away, had entirely recovered itself, and had even gone beyond the amount in 1841, which was 411,000*l.*; for in 1847, the revenue on account of foreign timber was 451,000*l.* The noble Lord the Member for King's Lynn seemed to think that, if at the same time the foreigner got anything, that was a sufficient proof that the measure had failed. I cannot help observing, with pain, what a false position hon. Gentletlemen place themselves in with reference to the foreigner, when they take these restricted views. In listening to such objections, one would suppose that commerce was but another kind of war, and that whenever the foreigner gained there must necessarily be a loss and a fraud upon us. But let the noble Lord the Member for King's Lynn recollect, when he speaks of the foreigner, and describes the extreme pain and horror with which he views the foreigner reaping any portion of the profits of this arrangement, that in three cases out of four the foreigner that he alludes to is as good an Englishman as himself. [*Laughter.*] The noble Lord may laugh, but is it not indisputable that the importations from many foreign countries are effected by English capital and on English account? I hope, therefore, the noble Lord will allow me to administer to him some little consolation, and to assure him that not all of that which he thinks passes into the pockets of the foreigner is lost to Englishmen. I will now refer to the article of silk. On this subject the noble Lord the Member for King's Lynn had made a most doleful and moving statement. He said that a deputation from the Spitalfields weavers had called on him, who stated that in 1836 they had 14,000 looms working, and in 1845, after their trade had been dabbled with, only 10,000. I will here observe that there is a most unfortunate chronological error in this statement. The noble Lord is totally wrong in saying that the trade was dabbled with, to use his expression, between 1836 and 1845. It was not touched in any important particular until 1846. But the noble Lord made a stronger point, for he went on to say that on last Saturday week there were but 3,500 looms in operation in Spitalfields and Bethnal-green. Of course the meaning of this statement was, that in consequence of the measures which had been adopted there had been a great decrease in the silk trade in England. Now, I so far agree with the hon. Member for Buckingham as to think that we may refer to the revenue as an important test of the operation of these measures; yet we must not make it an exclusive test, or regard it as of uniform and mathematical certainty. We must look partly to the bearing of these measures on the revenue, partly to their bearing on trade, but most of all to their bearing on the employment of the people. How does the question stand with respect to the employment of the people? I will endeavour to take a criterion which the noble Lord the Member for King's Lynn will not think unfair; I will take the years 1846 and 1847, which are the only two years of the reduced duty, and I will compare them with the average of the ten years from 1834 to 1843, which I find printed in a recent Parliamentary return. Let the House observe whether the figures given by this return do not make out the most complete case on every point for this very reduction of duty, in respect to the silk trade, which has always been chosen as the most vulnerable point of the system adopted of late years, by those who are devoted to the restrictive system in commerce. The importation of raw silk on an average of ten years, from 1834 to 1843, was 3,742,000lbs., and the average importation during the two years of the reduced duty, 1846-47, was 4,265,000lbs. The average importation of thrown silk for the first period was 265,000lbs., and for the latter 371,000lbs., being an increase of 106,000lbs. The silk goods imported on the average of the first period amounted to 219,000lbs., and on the average of the latter period to 408,000lbs., being an increase of 189,000lbs. This last item certainly shows that we have imported more foreign silk goods in the latter period than in the former period on the average, by about 200,000lbs.; but, at the same time, we have imported 630,000lbs. additional raw material to work up in our country, adding so much thereby to the domestic labour of this country. Therefore, when the noble Lord speaks of a diminution of the looms in Spitalfields, that may as much be referable to the competition between Spitalfields and Manchester, as to the competition between Spitalfields and France. I touch upon these points very unwillingly, but I shall not advert to anything that is not absolutely necessary. Well, then, the revenue from silk goods in the first period of exclusion was 220,000*l.* a year; while during the first year of reduction it was somewhat under 233,000*l.* But, Sir, the noble Lord —I have done now with figures of this kind—the noble Lord has spoken of the cruel and grinding operation of the measures relating to timber on our fellow-subjects in British North America; and he said, if I understood him rightly, that there had been a ruinous depression in the value of colonial timber. Why, the noble Lord must have been grossly misinformed. In the first place, colonial timber has not decreased in import, for there are the same number of loads of colonial timber as there were in 1840 and 1841. But as to price, I beg the noble Lord to observe that the long price—that is, the price including the duty—has only decreased between the years 1840 and 1848, by 3*s.*; that is, from 95*s.* to 92*s.*, while the duty of 10*s.* 6*d.* has been taken off. So that, in point of fact, this ruined colonist, upon whose case the noble Lord sought to touch our sympathies, is a man now getting 7*s.* more for his timber than he got in the year 1840. But, Sir, discussions on these particular articles are singularly wearisome, and I will now point out, in a very few words, what have been the results to the colonies of the financial measures of my right hon. Friend. And, first, I must say that I think it is due from all those who were Members of the Government of my right hon. Friend to retain a lively sense of gratitude to those who supported them during the years 1842 and 1845, and to prove on their behalf, against the noble Lord and the hon. Member for Buckinghamshire—to prove on behalf of the noble Lord and the hon. Gentleman, and against themselves, that they were right in the support they gave to those measures, and that they are only wrong in the vituperation which they now cast upon them. From the year 1842 to the year 1844, in round numbers, two millions and a half of taxes were repealed; and half a million—I do not now speak of the income-tax—were imposed; so that there was a balance of reduction of nearly two millions—namely, 1,963,000*l.* Now, let the Committee compare the progress the revenue of the country had made in those three years between 1841 and 1844. It was a very short period for any deficiency to be filled up; but my right hon. Friend was bold enough to say, that probably in five years, possibly in three years, after we granted the income-tax, such would be the relief to the springs of industry—a phrase that I am not even now afraid to refer to—that you would find that the reviving trade and industry of the country would replace nearly the whole amount derived from the income-tax. Now, two millions of Customs duties were repealed in 1842 and 1844. In the year 1844 the whole amount of Customs duties removed since the year 1841 was 7,600,000*l.* I ask you whether that is success, or whether that is failure? But I have spoken only of Customs duties, and I will now speak of the revenue at large; and I say this—that in the year 1844 you actually had, by the revival of trade, and by its action on the revenue—not in the Customs alone, but on all branches—you had recovered the whole of the income-tax. Your revenue in the year 1844, deducting the income-tax, was 48,427,000*l.* and your expenditure was but 48,500,000*l.*; so that with the exception of a trifling sum of about 80,000*l.*, you had, between the years 1842 and 1844, under the influence of these disastrous measures, recovered the whole amount of taxation which the country consented to bear in the form of an income-tax. Well then, Sir, how does the case stand in the year 1845, in the false glow of these principles? I have shown pretty effectually that these false principles came in the year 1842; and I do not now speak of the measures of 1846, but of the measures of 1845, which were simply an extended application of the principles on which the measures of 1842 had been founded. What was the state of the revenue in 1846, after the immense reduction of 1845, only the first year after those reductions were effected? Why, Sir, it has been shown by my right hon. Friend the Member for Tamworth, in another form, that the revenue of 1846, without the income-tax, only fell short of the revenue of 1841 by the small sum of 363,000*l.*, and in the mean time you had reduced 7,600,000*l.* of taxation; and when the hon. Member for Buckinghamshire talks of our having cut off eight millions from the revenue, I only wish he would wind up the sentence by saying that we had also added 8,000,000*l.* to the revenue, by the operation of these commercial measures. Well, Sir, now with regard to the year 1847, I must not, I am afraid, push this subject further; but I will say this, that even in the year 1847, disastrous as that year was, and I do not shrink from trying the case by that year—even in the year 1847—I give you these facts without giving you the figures on which they are based—if you compare the Customs and Excise in the disastrous year of 1847 with what they were in the year 1841, before the changes began, you will find that out of the 7,500,000*l.* of taxation that were repealed—even in 1847 five millions and a half had been replaced, or somewhat more than the whole amount of the income-tax. So that even with this tax—even with a double famine to assist you, for you are not content with the famine in corn, but you must likewise have the aid of the famine in cotton to make out your argument—even with that double famine, the one affecting the first article of the subsistence of the people, and the other affecting perhaps the first article of their employment—even in that disastrous year, and with the broken springs of industry, you have paid to the Customs and Excise, by the earnings of the labour of the country, which really sustains that revenue, five millions and a half more than you paid in the year 1841, before the false principles were heard of, and before any of those changes had taken place. Well, Sir, what shall I say to the hon. Gentleman? I am in a dilemma, for I have made a promise not to touch figures at great length, yet is it difficult for me not to do so, because the hon. Gentleman has really founded a large part of his argument—the whole of his argument respecting cotton, I think, resting upon a misapprehension with regard to the state of supplies. He shows a very considerable decrease, from various causes, in the export of cotton manufacture, and he further justifies himself for the approbation with which we met the extraordinary proposal to replace the tax on the cotton of America, because the removal did no good. How does he show that it did no good? Why, he does it by showing that the removal which took place in 1845 had caused the price of cotton to rise so much as to cover the difference in the duty. He says that this removal did no good, because in October, 1845, the British merchant did not pay so much for his cotton. Now, I put it to him as a reasonable and intelligent man, did the British merchant pay the American merchant, as the buyers of other countries? Did he or did he not? If he did—the hon. Gentleman will not give me an answer, and we know what that means—if he did, then it is perfectly plain that the British merchant bought like any other buyer, and therefore if he had had anything of duty to pay, the price of the cotton would have been enhanced by so much; and under these circumstances I beg the hon. Gentleman, when next he returns to the subject, as no doubt he will return to it, will show that, in the month of October, the British merchant derived no benefit from the repeal of the cotton duty. I claim the vote of the hon. Member for Buckinghamshire, because the hon. Gentleman said he was horrified at the idea of reimposing the duty on cotton, unless from the repeal could be demonstrated that the British merchant and manufacturer had derived no benefit whatever. Sir, with regard to the export of manufactures, I do not flinch from the contest. If you compare the exports of last year—I will not read the figures—if you compare the exports for the average of the four years ending the preceding, you will find, notwithstanding the corn and cotton famine, that there is a tendency on the average to increase. Now, Sir, there is one fact connected with the cotton trade which it is impossible to overlook, and that is, that one-third of the importation of cotton in 1846, namely, the crop of 1845, had fallen off. Why, it was a matter of course, under these circumstances, that you must have a great increase in price, and consequently a decrease in the exports. Now, I put it to the hon. Gentleman to show, if he will allow me to remove the single article of cotton yarn from the exports of 1847—the time of the cotton famine, as it has been expressively called—I put it to him to show what were the results of our disastrous experiments. Why, it was this, that although the year 1846 was a year of enormous trade, yet, if you remove the single article of cotton yarn, there is positively an increase in the year 1847 as compared with 1846, amounting to no less than 16,950,000*l.* Now, Sir, I hope I have shown the Committee, that if I refrain from giving them more figures at this late hour of the night, it is merely out of respect to them, and a consciousness of my own deficiency, and not from any disinclination or fear to sift to the bottom any one subject of this troublesome case. We are not prepared to shackle industry. We are not to go back to a principle which I hoped had been long since given up by every one—I mean the principle of taxation of raw material. But I observe an inclination on the part of the noble Lord the Member for King's Lynn to make a retrograde movement. When the question was formerly before the House, the noble Lord was willing that a duty of 5 per cent on the raw material should be imposed; but he now proposes to saddle raw material brought from abroad with a duty of from 10 to 15 per cent *ad valorem*. I will not follow the noble Lord through his details. I am contented with comparing his charges with the charges of the right hon. Gentleman. I will not go into the question of sugar. But I now come to a point which I confess affected me with a good deal of surprise in the speech of the hon. Gentleman the Member for Buckinghamshire. Whilst he was delivering that speech I bethought myself of and speculated upon the question, "How will he connect this reasoning with the vote he is preparing to give upon the question?" At last he came to the link of connexion. He said, "Give up free trade and I will give you the income-tax. But if you will have free trade, you must not have the income-tax." And that was the only reference which he made to the vote he was about to give in the whole course of his speech. But I should not object to his giving his reason for his vote in a single sentence, if the reason were at all tenable or consistent. But is this an argument for a distinguished Gentleman such as the hon. Member for Buckinghamshire to give? Why, Sir, his premises ought to have brought him to an exactly opposite conclusion. He has a duty, to maintain public credit, totally independent of the freaks or vagaries, if he likes to call them so, of other Gentlemen. If free trade has broken the springs of industry, and cut off 8,000,000*l*. from the revenue, it is not the less, it is the more, necessary for the hon. Gentleman to vote the income-tax. I put this without asking the hon. Gentleman to go beyond a single sentence in giving the reason for his vote out of a speech of two hours' duration. He will find that he has founded his determination upon reasons which should have led him to a directly opposite conclusion. Now with respect to the vote he is going to give. The hon. Member for Montrose says he will vote for the income-tax for one year; and in the course of that year he will make reductions so extreme in the scale of expenditure, that at the end of the year you will be able to do without the income-tax altogether. Now, what are the estimates of the hon. Gentleman the Member for Montrose? He has not given us his figures. But so far as I can judge, without having his statement before me, he ought to effect a reduction in the course of the twelve months of not less than from 8,000,000*l*. to 10,000,000*l*. I will not speak slightly of reduction or retrenchment. I will say on general principles that a great country like this ought periodically—whether every eight years or ten years I will not say—but it ought periodically to have a thorough and searching revision of its public expenditure—such a revision as took place about fifteen years ago. And I think that, on general principles, it is high time we should revise the entire system of expenditure. I say this entirely irrespective of the fact that we have had an extraordinary increase on the subject of our finances — an increase amounting to nearly 7,000,000*l*. in our expenditure since the year 1835, and to 4,500,000*l*. since the year 1844, on the items of Navy and Ordnance—amounting to 2,850,000*l*. since 1845; and to 1,638,000*l*. since 1846. This increase affords in itself a strong *primâ facie* case for revision, and that, too, without diminishing the effective means of defence, which I presume you would not at present dare to diminish. But without doing so, you might effect a considerable saving. But I think our own consciences might tell us, that, not entering into the share which may fall to the Government of the blame, nor entering into that which may fall upon the House of Commons, but merely regarding the miscellaneous estimates of the country, not only on the part of the Chancellor of the Exchequer, but on that of every one else who has had a voice in the matter, there has been a considerable laxity in the matter of expenditure. There is always a tide setting against the public money. Every hon. and right hon, Gentleman has a predilection for some one subject which sways one very much, another very little. But the knowledge of the existence of such predilections shows the necessity for instituting searching investigations periodically. And although

I should not say anything against the right hon. Gentleman the Chancellor of the Exchequer, I must admit that I was very much dissatisfied with his expression on the subject of the possible reductions. I thought he was not sanguine enough as to the possibility of effecting reductions; and he spoke of several articles which he seemed to think were not subjects for reduction or revision, but which, I think, are. He seemed to think, for instance, that all the charges upon the Consolidated Fund were matters which should be exempted from revision. Now, the reason of his so treating those charges I believe to be that when matters are once made chargeable upon the Consolidated Fund, all the parties connected with it feel, so to speak, landed, and beyond the reach of further scrutiny. They think they are placed under cover of an Act of Parliament. Now I think as regards those charges which are placed upon the Consolidated Fund, the presumption is, that they require a strict revision quite as much as those charges which have to come under our view from year to year. I think also that the charges for collecting the public revenue should be revised. I am told I misunderstood the right hon. Gentleman. But when he spoke of those things upon which reductions might be effected, he mentioned the Miscellaneous Estimates, the Army, Navy, and Ordnance, with the exception of the charges for the ineffective portions of the forces; and I think he spoke of 18,000,000*l.* being the total sum on which we should have to work. Now, from those other subjects to which I have alluded, may be added a sum of pretty nearly 5,000,000*l.*, or nearly 23,000,000*l.*, and giving, with the Consolidated Fund charges, not short of 30,000,000*l.*, as a basis on which to found your proceedings in reduction. The hon. Member for Montrose believes, that out of that you can save 8,000,000*l.* to 10,000,000*l.* in the course of the next twelve months. But you ought to remember, that in the next year you will have a deficiency of 4,000,000*l.* according to the estimate: that is to say, nearly 3,000,000*l.*, besides the 1,100,000*l.* for the Caffre war. But besides that, 4,000,000*l.* to be provided for, you will, I am afraid, have new charges to pay for that Caffre war next Session. And then that mysterious vote "the Navy excess" may again appear. But besides that 4,000,000*l.* or 5,000,000*l.* of deficiency, the hon. Member for Montrose proposes to add 5,000,000*l.* more by the reduction of the income-tax. Now, is it consistent with common prudence in the present state of public affairs to place so large a portion of the public means at the hazard of all contingencies which may intervene between this time and that? This appeal is one which I think may be made with justice to the representatives of the most popular constituencies. It amounts to this, that no retrenchment which may or can be effected can possibly compensate for the effects of tampering with the public credit. Now, Sir, does this Motion touch the public credit or not? I do not mean that the hon. Gentlemen who support the Motion have the slightest intention of endangering the public faith. Far from me to propagate such a notion. I only propound an opinion, but I do so with considerable firmness. My belief is, that though hon. Gentlemen do not intend it, the Motion they make will shake the public confidence. If it were to go forth—but I am well persuaded that it will not, I only put it for the sake of argument—but I ask if it were to go forth to-morrow, that this House of Commons had adopted the Motion of the hon. Member for Montrose, what answer, I ask, would that barometer of the feelings of the country—the Stock Exchange of to-morrow—make with respect to the effect of such a Motion. I venture to form an opinion—I think a legitimate one—that if you were to vote to-night, with a deficiency of 4,000,000*l.* or 5,000,000*l.* in the public expenditure, not for any proposal to supply it, but for a Motion that at the end of twelve months you will not continue the income-tax, producing 5,500,000*l.*—I am of opinion that if you were to do this, the confidence of the public in the wisdom of the Legislature, at least with regard to financial matters, would be very seriously shaken. I could have made an appeal with some confidence to hon. Gentlemen opposite, holding extreme popular opinions; but I confess that it is with great astonishment that I feel I have also to appeal to hon. Gentlemen on this side of the House, of whom — to whatever extent I may differ from their views on some matters of legislation — I think I may say that it will be accorded to them that as a party they have at all times shown a disposition to adopt every measure that tended to keep the public credit in the most stable condition. I will not go into a discussion at length on any matters relating to the large question of a reduction of expenditure in connexion with our colonial policy. I shall only say, that we must in a very short time make a large reduction in the expenditure on account of the colonies. One of the main reasons which I see for placing the affairs of the colonies, when they have reached any tolerable state of security, and when no seriously disturbing circumstances exist, in the hands, to a considerable extent, of the colonists themselves is, that it makes the colonists responsible in a greater degree than they now are for the expenses of these portions of Her Majesty's dominions, as I know that it is very difficult to do that, unless we make a frank recognition of their rights—entrusting to their own hands the decision on all matters connected with their local affairs. It is extraordinary to see the extent to which we have altered the basis of our old colonial system. That system was framed mainly with a view to a monopoly of markets. That has been abandoned; but it was also framed with a view to enable the colonists to attend to their own affairs. I think you were quite right to abandon the monopoly; but I think also that circumstances obliged you to take into your own hands in this country too much of the business of places situated in the most distant parts of the world; and I think that it would be well to leave to the colonists, wherever practicable, a very large power indeed over the regulation of their own affairs, and at the same time to impose upon them the obligation of contributing to the defences of that portion of the empire to which they belong. I have detained the Committee very long, and I feel sincerely indebted to them for their great patience in listening to me at such length at this late hour. I shall cease to address you without the slightest apprehension as to the result of this debate. I am perfectly confident that the vote which we are about to give will be accorded to Her Majesty's Government, without any regard to party feelings or considerations. They are entitled to our support, especially at such a crisis as the present; but they are entitled at all times to claim the aid of the House in their honest endeavours to maintain the finances of the country. I am confident that what they are now asking for is not an excessive or unreasonable demand, though I feel that it would be unreasonable unless accompanied by a most searching revision of the public expenditure, with a view to a considerable reduction of its scale within the next few years. But I am sorry to say that you are not now proposing to provide for the expenses of the year within the year. You are, without disparagement, submitting to circumstances which require you to tolerate the great evil of deficiency for two years successively, perhaps I should say three years—and that too in a time of peace. You are abandoning the intention which you entertained last year, when you seemed to think that you could this year begin to liquidate the large loan which was raised in addition to the capital of the public debt. You are throwing over that—you are consenting to go on with a deficiency in your exchequer—you are not pursuing altogether that high and masculine duty, which, unless under overruling necessity, it is most desirable to adhere to. The very least amount that can maintain the public business, the very minimum of revenue, is all you now ask; and I am sure this House of Commons will prove itself to be worthy of the Parliaments which preceded it—worthy of the Sovereign which it has been called to advise—and worthy of the people which it has been chosen to represent—by sustaining this nation and enabling it to stand firm in the midst of the convulsions that shake European society—by doing all that pertains to us for the purpose of maintaining social order, the stability of trade, and the means of public employment; and by discharging our own consciences, on our own part, under the difficult circumstances of the crisis, in the perfect trust that if we set a good example to the nation—for whose interest we are appointed to consult—they, too, will stand firm, as they have done in other times of almost desperate emergency; and that through their good sense, their moderation, and their attachment to the institutions of the country, we shall see these institutions still exist, a blessing and a benefit to posterity, whatever alarms and whatever misfortunes may unfortunately befall other portions of civilised Europe.

Debate adjourned. House resumed. Committee to sit again.

House adjourned at half-past One o'clock.

HOUSE OF LORDS,

Monday, March 13, 1848.

MINUTES.] PUBLIC BILLS.—Passengers.

PETITIONS PRESENTED. From Ruan, Penley, and Newtown, against the Admission of Jews into Parliament.—From Glasgow, and several other Places in Scotland, against the Diplomatic Relations, Court of Rome, Bill.—From Kilrush, and several other Places in Ireland, against the Present System of National Education in that Country.—From Master Mariners and Seamen of South Shields, for Inquiry into the Policy of the Navigation Laws before any Alteration is made in them.—From Glen Columbkill, for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From several Members of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From Ayr, for a further Revision of the Currency Laws.

DEATH OF MR. CURREY, ASSISTANT CLERK OF THE HOUSE.

The LORD CHANCELLOR observed, that he was that day to have announced to the House that Her Majesty had been pleased to appoint Benjamin Currey, Esq. to the office of Clerk Assistant of the Parliaments, vacant by the retirement of Mr. Birch. Their Lordships were aware of the melancholy event which had occurred that morning to absolve him from that gratifying duty, and to deprive them of the services of an able and excellent servant. His experience had proved to him that Mr. Currey would have been in all respects peculiarly well qualified for the situation to which he had just been nominated. He was admirably informed as to the mode of the proceedings in that House, and possessed an amount of zeal and intelligence which it was not likely would ever be exceeded. There would be some difficulty in providing for the service of the House. He was informed that Mr. Currey having succeeded to the office of Clerk Assistant, Mr. Rose would in the natural order of things have succeeded to the second place, and Mr. Leonard Edmunds to the third. At present there was great want of assistance; but, notwithstanding the melancholy event of that morning, it would provide for the immediate performance of the duties devolving upon the officers of the House, that the two appointments should be confirmed, leaving, of course, the first appointment open until the pleasure of Her Majesty should be ascertained on the subject. He had now to state, for the information of their Lordships, that, by virtue of a power legally vested in him as Lord Chancellor by the Statute 5th Geo. IV. cap. 82, sec. 84, he had appointed William Rose, Esq. to be Additional Clerk Assistant, in the room of Benjamin Currey, Esq.; and also that by virtue of the same authority, he had appointed Leonard Edmunds, Esq. to be Reading Clerk and Clerk of Outdoor Committees, in the room of William Rose, Esq. Those appointments were vested in the Lord Chancellor, but were subject to the approval of the House; and he accordingly begged leave to move that they be severally so approved.

The EARL of DEVON bore testimony to the great merits of the lamented gentleman whose loss they all so much deplored. He had sat by his side for nine years, and never knew a man who possessed qualities better calculated to endear him to those who enjoyed his acquaintance.

Motions agreed to.

IRISH POOR LAW.

The EARL of LUCAN said, he rose to advert to the subject of the rating of lessors under the Irish Poor Law Act. The noble Lord was understood to complain of a clause in that Act, which, he contended, operated oppressively and unjustly upon lessors. He concluded with moving for an account of the salaries of the poor-law officers in Ireland.

The EARL of ST. GERMANS was of opinion that the Poor Law Act dealt as fairly by lessors as it did by any other class of persons liable to pay rates for the support of the poor.

The MARQUESS of LANSDOWNE could not see that in such circumstances as those to which the noble Earl (the Earl of Lucan) alluded, the poor-law authorities had any alternative but to act as they did. If the noble Earl, as a party rated, felt himself aggrieved, he had a right of appeal as well as a right to examine the books.

LORD STANLEY understood that there was a practical difficulty in obtaining a remedy if a person found himself unjustly set down upon the rate-book as immediate lessor. He had, within a limited period, to find out the parties who were really liable, and to give them notice.

The MARQUESS of CLANRICARDE observed, that if the lessors were dissatisfied, they had the power of appeal.

The EARL of LUCAN believed that no instance had occurred in Ireland—or at least in Mayo—of a lessor having appealed.

EARL FITZWILLIAM considered that the landed proprietors of Ireland should have the largest share in the administration of the poor-law in that country. He was sorry to say that during the last few years observations had been made in public and by the press—he wished he could say such remarks had never been made in either House of Parliament—which were calculated to weaken the influence of the landed proprietors of Ireland, and to lower them in the estimation of their countrymen. The Government and the Legislature seemed to consider, that, having passed a poor-law for Ireland, they had done all that was necessary; but he contended, looking not to the ratepayers alone, but to the thousands who were to be the recipients of relief, that neither the Legislature nor the Executive Government had —so far as the poor-law was concerned—done their duty to the sister country. He expressed an apprehension that the distress in Ireland would be as great this year as in the last, if not greater; and he should, therefore, wish to see large national works established, and an extensive system of emigration carried out.

After a few words from the EARL of LUCAN in reply,

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Monday, March 13, 1848.

MINUTES.] NEW MEMBER SWORN.—For Waterford, Sir Henry Winston Barron, Bart.

PUBLIC BILLS.—2° Imprisonment for Debt (Ireland). *Reported.*—Public Health.

PETITIONS PRESENTED. By Mr. A. Hastie, from Paisley, for an Alteration of the Law respecting the Church of England Clergy.—By Mr. Farnham, from Castle Donington (Leicester), and by Mr. G. Hamilton, from Meath, against, and by Mr. A. Matheson, from Inverness, in favour of, the Jewish Disabilities Bill.—By Mr. Plumptre, from Ashley (Stafford), for Withdrawal of the Maynooth College Grant.—By Sir R. H. Inglis, from Leicester, and by Mr. Napier, from Donegal, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Cowan, from Roskeen (Ross-shire), and other Hon. Members, from several Places, against the Roman Catholic Relief Bill.—By General Lygon, from Worcester, and by Mr. Plumptre, from Ingrow-cum-Hainworth (Yorkshire), against the Diplomatic Relations with the Court of Rome Bill.—By Mr. Pilkington, from Blackburn (Lancashire), for an Abolition of the Salt Monopoly (East Indies).—By Mr. Barkly, from the Island of Carriacou, to take the West India Colonies into Consideration.—By Mr. Bonham Carter, from Winchester, and by Mr. Hutt, from Durham, for Repeal of the Duty on Attorneys' Certificates.—By Mr. A. Matheson, from Inverness, for Inquiry into the Excise Laws.—By Mr. Cowan, from Dalkeith, and other Hon. Members, from several Places, against a Continuance of the Property Tax.—By Mr. A. Matheson, from Inverness, for a Revision of the Stamp Duties.—From Inhabitants of the Parish of St. John, Hackney, for Revision of Taxation. By Mr. A. Matheson, from Inverness, for a Repeal or Alteration of the Bank of England Charter Act, and Banking (Scotland) Act.—By Mr. Pilkington, from the Blackburn Commercial Association, to take the Cotton Trade, into Consideration.—By Mr. Cowan, from Edinburgh, and other Hon. Members, from a number of Places, against the Diplomatic Relations with the Court of Rome Bill.—By Mr. W. Miles, from Horsham (Sussex), for an Alteration of the Law of Education.—By Sir De Lacy Evans, from Members of the Westminster Reform Society, for Retrenchment in the Naval and Military Expenditure.—By Colonel Boyle, from Frome, Somerset, and other Hon. Members, from several Places, for a Repeal of the Corn Laws.—By Mr. Foley, from Worcester, for Sanitary Regulations.—By Mr. Sharman Crawford, from Antrim, against the Landlord and Tenant (Ireland) Bill.—By Mr. Corbally, from Meath, and Mr. Tennant, from Belfast, for an Alteration of the Law of Landlord and Tenant (Ireland).—By Mr. Rufford, from the Guardians of the Worcester Union, for an Alteration of the Law of Mendicancy.—By Mr. Grey, from Tynemouth, against Militia Enrolment; and against a Continuance of the Property Tax.—By Mr. Fellowes, from St. Neots (Huntingdon), for Retrenchment in the Naval and Military Expenditure.—By Mr. Duncan, from Dundee, and Mr. Hudson, from Sunderland, against a Repeal of the Navigation Laws.—By Mr. Bourke, from the Poor Law Guardians of the Naas Union, and Mr. Sheil, from the Board of Guardians of the Dungarvon Union, for an Alteration of the Poor Law (Ireland).—By Mr. George Hamilton, from Kilkenny aud Armagh, for an Alteration of the Poor Law (Ireland) as regards the Rating of Clerical Incomes.—By Mr. A. Matheson, from Forres (Scotland), for an Alteration of the Law of Prisons' Assessment (Scotland).—By Mr. Bolling, from Bolton, and by Mr. Scholefield, from Birmingham, for Alteration of the Public Health Bill.—By Mr. Ord, from Newcastle-on-Tyne, for Abolition of the Punishment of Death.—By Admiral Gordon, from Presbytery of Ellon (Aberdeen), for Ameliorating the Condition of Schoolmasters (Scotland).

EXPULSION OF ENGLISH WORKPEOPLE FROM FRANCE.

MR. STAFFORD asked the right hon. Gentleman the Secretary of State for the Home Department if he had received any further information with reference to the workmen who had been expelled from France?

SIR G. GREY had received information from the Mayor of Portsmouth that the workpeople who had arrived there were in a very destitute condition, and that a communication had been transmitted to the authorities at Rouen with reference to the unpaid wages, clothing, and other property which they had left behind, in order that information might be transmitted through the Foreign Office to Paris, with a view of obtaining compensation to the injured parties from the Provisional Government. A considerable number of workpeople were still expected to arrive at Portsmouth from Havre, and he might also state that he had a letter from the Lord Mayor of London, informing him that a number of persons in a destitute state had arrived from France in the city of London.

THE COALWHIPPERS—THE WORKING CLASSES.

MR. GLADSTONE: I am anxious to take an opportunity of asking the right hon. Gentleman the President of the Board of Trade a question with regard to a body of labourers in whom the House has taken a great interest, for whom it has been called upon to legislate, and who are engaged in an occupation which imposes very severe labour—that of discharging the coal vessels in the river Thames. It may be in the recollection of the House that about six years ago an Act of Parliament was passed with the view of relieving those men from the very peculiar and degrading state of thraldom in which they were then held. A material change has been brought about in their social condition—a fact which is as gratifying as it is obvious to all those who are in connexion with them. It has recently been stated that these men have tendered their services to the Government, expressing their readiness to be sworn in as constables for the preservation of the public peace. Perceiving this statement in the public journals, and believing it to be substantially true, I thought it expedient to put a question to Her Majesty's Government on the subject, not for the purpose of drawing any invidious contrast between their conduct and that of any other classes, because I should thereby do injustice to such other classes, but for the purpose, first, of rendering them their due, and secondly, of bringing their conduct in a marked manner under the notice of Parliament, to show the encouragement given to all classes of labourers by the tribute of approbation which, on our part, such conduct will never fail to receive.

Mr. LABOUCHERE: I have great satisfaction in answering the question of the right hon. Gentleman. It is perfectly true that the coalwhippers on the Thames, of whom there are 2,500, have tendered their services as special constables to the Secretary of State for the Home Department. Their services were accepted. About 300 of their number were sworn in on Saturday, and the magistrate is in attendance to swear in more if necessary. With regard to the measure for the benefit of those persons which the right hon. Gentleman introduced, I am bound to state that it has fully met the views and intentions of the right hon. Gentleman. It has greatly conduced to the improvement of the moral habits and general condition of the coalwhippers.

Sir G. GREY: Allow me to confirm the statement made by my right hon. Friend the President of the Board of Trade. In the course of last week an offer was made on the part of the coalwhippers, to the number of 2,000, to be sworn in as special constables, and that offer was accepted. But I am anxious, in consequence of what fell from the right hon. Gentleman (Mr. Gladstone), that he disclaimed, and very properly, drawing an invidious contrast between one class and another, to express the conviction that such conduct presents one of the most valuable results which has been developed by the recent attempts at disturbance. I am happy to say that those attempts have elicited from the great body of the community of all classes, both in the metropolis and in the large towns throughout the country, the strong expression of their resolute determination to give their cooperation and aid for the suppression of disturbance and the maintenance of order, which is necessary for the protection of the property and comfort, not only of one class, but of all. In Glasgow a great number of special constables were sworn in, including a large body of operatives, and that in the course of one day. I am assured by the Lord Advocate, who proceeded immediately to the spot on receiving intelligence of the disturbances, that in Glasgow 20,000 special constables could have been sworn in, had it been necessary. The accounts from Liverpool are of the same gratifying description; and everywhere the same feeling prevailed in favour of giving every support to the authorities against those whose only object is plunder.

THE INCOME-TAX.

On the Order of the Day for the House to resolve itself into a Committee of Ways and Means,

Mr. HUME expressed his regret that during the debate, which simply related to the question whether the income-tax should be continued for one year or for three, two-thirds of the discussion had been on the subject of free trade. It was most desirable that they should come to a decision, and he trusted they would endeavour to keep as closely as possible to the point. He hoped the hon. Member for Glasgow (Mr. Macgregor) would not be led away by the example of the hon. Members for Westbury and Buckinghamshire (Mr. Wilson and Mr. Disraeli) to enter on the subject of free trade, which was a fit and proper topic for discussion at a fit and proper time, but which was not relevant to the present question. If any blame was connected with the introduction of that "greatest work of imagination," the Import Duties Committee's report, he as Chairman of that Committee was ready to bear it all.

Mr. BANKES observed, that the Member to whom the hon. Gentleman ought especially to direct his attention was the right hon. Baronet the Member for Tamworth, for other Members could hardly be expected to abstain from such discussions when so very eminent an example was set before them.

Sir R. PEEL remarked, that the question had been introduced by two very eminent Members of the hon. Gentleman's own party, the noble Lord the Member for Stamford, and the hon. Gentleman the Member for Warwickshire (the Marquess of Granby and Mr. Newdegate).

House in Committee of Ways and Means. On the resolution having been read for a continuance of the income-tax,

Mr. MACGREGOR observed, that if he were charged with presumption or rashness in addressing himself to the question at so early a period, he could only plead the honesty of those motives which forbade his silence when the question under discussion was one on which his experience and opportunities ought to enable him, if he were not very stupid, to give information leading to some practical conclusions. He required indulgence more than if he were a practised debater, or artistic orator. He approached the question under peculiarly painful circumstances, differing as he did from the noble Lord (Lord J. Russell) and his right hon. Friend the Chancellor of the Exchequer, upon two grounds. In the first instance, he opposed the measure because he believed that the tax was unequal and unpopular in itself, and because he was convinced that if the income-tax were continued for three years, it would not answer the purposes of the Chancellor of the Exchequer without other measures; and, secondly, because he considered that the greatest calamity that could happen to the country would be the derangement of the national credit. He hoped, therefore, that the question would be considered free from personalities, and all the meanness of petty jealousies. He would take the advice of the hon. Member for Montrose, and say very little on the subject of free trade. But he trusted he might be allowed to make a few observations with respect to what had been stated by the hon. Member for Buckinghamshire. With regard to the financial and commercial measures of the right hon. Baronet the Member for Tamworth, he agreed in the wisdom of those measures from the day when the right hon. Gentleman entered office to the day when he left it, considering the right hon. Gentleman's whole administration as marked by the capacity of an able statesman. Those measures were the right hon. Gentleman's own, and to him the country ought to give all the credit. He (Mr. Macgregor) disclaimed any share in them. The only share he had had was his statement before the Import Duties Committee. If that had in any degree assisted in preparing the public mind for a change, he was perfectly satisfied. With regard to an extract which was read from a Glasgow paper, he hoped the House would allow him to state the facts. At one of the several meetings before the last election at Glasgow—for he could not certainly recollect all that took place at or even which of those meetings—a young Chartist came forward and occasioned a tremendous uproar; he might have been one of those concerned in the late riots for aught he (Mr. Macgregor) knew. There were 500 or 600, perhaps 1,000, present; and there came forward at the same time a person who he was told came from the opposition camp in one of the other ward meetings, and amidst a great noise some one cried out to him (Mr. Macgregor), "Sir, did you prepare Peel's tariff?" He remained silent. But a voice in the assembly repeated the question, and said, "I know you haven't the courage to give me an answer;" at which there was "tremendous uproar." In order to stop the uproar, he said he would endeavour to give them an answer. And he then stated distinctly that he would not at any risk have given them one if Sir R. Peel were still in office; but as he was not, he would state that he (Mr. Macgregor) had been one of the Secretaries of the Board of Trade; that the President of the Board of Trade (Lord Ripon) and the right hon. Gentleman the Member for the University of Oxford, who was afterwards President, had intrusted him to prepare, alphabetically, that is to say, the skeletons of the schedules of articles in classes to be appended to the resolutions submitted with the tariff to Parliament. And he had added, that no one, he believed, out of the Cabinet, except the Vice President of the Board of Trade, and a young gentleman (Mr. Lack) who had been named as his (Mr. Macgregor's) private secretary, had been privy to the preparation of those schedules. That was what had really passed. But it had also been alleged that the statement read the other night had appeared in his own paper in Glasgow;

whereas it had really appeared, with the remarks read by the hon. Member for Buckinghamshire, in the two papers opposed to him and to truth in Glasgow. He should also say, that although in no way connected with the right hon. Baronet's party, he had, during the whole of his administration, been treated with the greatest kindness and courtesy by the right hon. Gentleman on every occasion; and he had to acknowledge similar uniform courtesy and kindness on the part of the first President, the Earl of Ripon, and on the part of the right hon. Gentleman the Member for the University of Oxford, during his Presidency and Vice Presidency of the Board of Trade; and from the right hon. Gentleman the Member for the University of Cambridge, whilst he was Chancellor of the Exchequer; as also from his noble Friend Lord Dalhousie, and the right hon. Gentleman the Member for Dover. But, to proceed to the question. He denied the assertion that the best test of the soundness of commercial legislation was commercial prosperity. It might, or it might not. They knew there was no commercial legislation in Arabia, and some of the wildest countries of the world; but they never heard of their commercial prosperity. The noble Lord the Member for Lynn had attributed all the misfortunes of the country to the free-trade measures of the right hon. Baronet the Member for Tamworth, including, of course, the famine in Ireland. But he might just as well attribute the fertility upon the banks of the Nile to a power emanating from the Pyramids. They had also heard that it was the policy of purchasing in the cheapest markets and selling in the dearest that had brought about the present monetary and commercial distress; but unless he was too dull to comprehend that policy, he believed it would continue to be the standard rule. It might not be comprehended by those who flirted with the Muses on the brows or summit of Mount Parnassus, nor by another class of producers, the manufacturers of politico-metaphysical romances; but classes, perhaps less ornamental and more useful, would understand and practise it; he meant among others those of the market gardener and fishmonger. Now, he had with some care examined, not only the financial condition of this country, but that of others also; and, in entering upon the question before the House, he thought they should not regard it as merely one whether the income-tax should be continued for one year or for three, but as involving the whole financial condition of the country. He believed the people of this country were quite ready to give the Government all possible means for maintaining the public credit; but he objected to the income-tax because it was unpopular beyond all others, and because it was so unequal in its distribution. In our expenditure in Ireland, in the colonies, and in our own dockyards, he considered that a very great saving might be effected. Since 1800, upwards of (including the interest on the Irish debt) 66,000,000*l.* of money had been expended for Ireland more than the revenue collected in that country had amounted to; and after the union of the Irish Exchequer with that of England in 1817, and up to 1846, more than 100,000,000*l.* of the public money levied in Great Britain had been paid for Ireland. In such a state of things, he thought that the people of this country had great reason to complain of having to pay an income-tax, unless the expenditure for Ireland were reduced. He thought that the expenditure in the colonies might also be materially diminished. When the proper time arrived, he would be prepared to prove that the expenditure in the dockyards, especially for altering and cutting down ships, was most wasteful and unjustifiable. It might seem remarkable, but it was a fact, that England was the only country in the world in which an income-tax on the mere profits of trades and professions existed. There were, doubtless, all sorts of imposts, and some of them obnoxious enough, but an income-tax from uncertain profits was known only in this country. He considered the property-tax, unless it were on the rents, or interest, of realised or vested property, more objectionable than the present income-tax; but, in fact, he objected to the latter chiefly on account of its inequality. If history was to be taken as the teacher of national policy, it would be found on a reference to her pages, that national security and prosperity depended more than upon any other circumstances upon a sound system of finance. Frederick the Great, who found the Prussian Exchequer in a miserable state when he ascended the throne, succeeded, notwithstanding all the expenses of his wars in Silesia and elsewhere, to put his revenue on a footing which enabled him to pay off all the debts of the country, and to leave a large sum at his death in the Exchequer. On the other hand Austria, a country far more fertile and productive than Prussia, was never placed under any sound system of finance; and from the days of Maria Theresa down to the present time financial difficulty and distress prevailed in that country. Maria Theresa herself had to beg money of her people in the churches, and elsewhere—to hold correspondence with Madame Pompadour and another royal mistress, Farenelli—to melt down the silver plate of the churches—and to resort to other expedients ill becoming the dignity of a great and proud Empress, or a large empire. The disgrace and ruin, after the national bankruptcies, which took place in Austria in 1811 and 1813, afforded an example to all the countries in the world which wished to maintain independence. The hon. Member quoted Schneller's *History of Bohemia* in proof of his assertion, and contended that every nation, from the Roman empire downwards, had owed its prosperity or fall to the sound or unsound condition of its system of finance. It was the undoubted right of the House of Commons, for the constitution had wisely and justly entrusted it with the initiative in all questions of taxation, to act in the most jealous manner with respect to propositions of this nature. He trusted the House would never adopt a policy of mere expediency, but go at once into the whole question of our income and expenditure, rather than continue a 3 per cent income-tax, which could not possibly meet the emergencies of the Exchequer, for three years. He would say that the best policy would be to grant a 3 per cent or a 5 per cent tax, or more if necessary, for one year, and to enter at once on the whole question of taxation. He considered it his duty to make this appeal to the House, because he considered that such a course would be in accordance with public opinion—not an ignorant, a noisy, and a riotous public opinion, but the opinion of the enlightened and the intelligent, as represented by an unanimous public press, with only three solitary exceptions that he could learn. He should, therefore, vote for the Motion of the hon. Member for Montrose.

ALDERMAN SIDNEY had mixed much with the middle classes of this country, and was, therefore, able to tell the House accurately what was the opinion of that important portion of the community with respect to the measure of the Government. He denied that those who opposed the re-infliction of the income-tax had placed themselves in hostile array to the interests of the country; and he did not stand there to refuse the supplies necessary to continue the public business; inasmuch as the tax was not required, or would not have been required, had due economy been used in the expenditure of the country. He voted with the hon. Member for Montrose on this question, because he thought it was the duty of the House to insist upon a searching inquiry into the expenditure, to see whether it could not be reduced within the natural income of the country. He had been astonished, as a young Member of the House, to find that the expenditure had increased 9,000,000*l.* since 1835; and still more astonished that the increase was between 4,000,000*l.* and 5,000,000*l.* since the year 1844, ending 1845. He did not think that sufficient consideration had been manifested towards the commercial classes of this country. It would be recollected that the House was called together at an unusually early period for two objects; the one to consider the disturbed state of Ireland, and the other to consider the disturbed state of the commerce and trade of the country. With respect to the latter, the right hon. Gentleman opposite moved for a Committee of Inquiry, it was true; but, to the great indignation of the commercial classes, instead of measures of redress or relief, the noble Lord at the head of the Government came down to the House and proposed to increase the amount of taxation with which the country was burdened to the amount of 3,500,000*l.* sterling. This, too, was at a moment when the shopkeepers—a most important class—were in most exhausted condition. He had heard of burdens upon agriculture so often, but he believed hon. Members could not be aware of the enormous amount of taxation which pressed upon the shopkeepers. He had received a variety of letters which put him in the position to show what were the amounts of poor-rate and local taxation. He would take one case, a fair sample for the whole. A tradesman of Norwich, whose rent was 100*l.* a year, paid 27*l.* 15*s.* 11*d.* in poor-rates, and, including the local rates, this amount was made up full 50 per cent. He defied any hon. Member to show burdens upon agriculture equal to that. Again, in the town of Leeds, the poor-rate was now 5*s.* 4*d.* in the pound; and he would take that town as an example of the extraordinary number of failures that had taken place. The House would perhaps be surprised to learn that four individuals out of every five who commenced business failed or died insolvent. In the year ending August, 1847, there were eighty-four persons in the grocery trade, and of these fifty-six failed, and four retired, leaving only twenty-four standing, and of these several had failed or compounded since. The amount of failures that year was, in London, 10,000,000*l.*; in Liverpool, 3,000,000*l.*; in Manchester, 2,250,000*l.*; in Glasgow, 3,000,000*l.*; and in other towns, 5,000,000*l.*, making a total of 23,250,000*l.* in one single year. And yet this was the period in which it was sought to reimpose a tax confessedly unjust and unequal, and which was condemned by all classes. He had listened to the statements made by the noble Lord the First Lord of the Treasury, the Chancellor of the Exchequer, and the right hon. Baronet the Member for Tamworth, and it might be supposed from their statements that they were all anxious to reduce the taxation of the country. The noble Lord opposite had said that since the year 1826 there had been no less than 40,000,000*l.* of taxes taken off; but he found a fallacy in that statement. The noble Lord had mentioned, among the articles thus reduced, that of sugar, but, instead of the large reduction on that article blazoned forth by the noble Lord, the people paid 2,300,000*l.* more for sugar than they did before the alteration took place. He felt assured that the best friends of the Government would not deny that, before they inflicted this unequal tax upon the country, thay had a right to ask that it should be made more equal. He felt that the most powerful defence for this country against all foreign foes was the loyalty of the middle and working classes. But that loyalty could be but faint while distress was universal amongst those classes; and he trusted the Government and the House would give their best and earnest attention to the best means of restoring prosperity to the country.

Mr. HEADLAM: Sir, I am well aware that I am guilty of no small presumption in rising upon this important national question, and thereby standing in the way of others whose experience gives them a claim to the attention of the House far greater than any to which I can individually pretend. But representing, as I have the honour to do, a constituency of no small magnitude and importance—and one, moreover, deeply sensitive of the proceedings now before the House—I feel that I should not be adequately discharging my duty either to them or to myself were I, from any personal considerations, to flinch from briefly, though as clearly and explicitly as I can, stating the reasons and the principles upon which my vote will be given. Sir, Her Majesty's Ministers, after making a statement of the financial condition of the kingdom, have demanded from us a continuance of the income-tax for a like period as that for which it was imposed in 1842, and as that for which it was continued in 1845. And, without entering into any minute detail concerning the state of our finances—when we consider that even if we grant this demand in the form that it is asked of us—there will still be, according to the estimates, a deficiency at the end of next year to the amount of about 4,700,000*l.*; and when we consider that, in the course of this debate, no very sanguine prospects have been held out to us of the revival of trade by those best qualified to form an opinion, I think I am not guilty of exaggeration when I say that our present financial condition is not materially, if at all, better than what it was in the year 1842, when the last Parliament deemed it right first to impose this income-tax. And, Sir, whether this comparison between our present financial condition and our condition in the year 1842 be or be not correct, I think it will universally be conceded that our present state is very materially worse than what it was in the year 1845, when the income-tax was, by the late Parliament, continued for three years. It is under these circumstances that we are asked to refuse the demand made by Her Majesty's Ministers; and, in the course of this debate, three reasons of a somewhat different description have been strongly urged to justify us in such a refusal. In the first place, there is the argument of the noble Lord the Member for Lynn and the party with whom he acts, who are desirous of inducing us to adopt a retrograde course, and reimpose those duties which it has been the policy of this country for the last few years to take off. Secondly, there is the argument of those who assert that this tax is unjust and unequal, and further than that, who say that its injustice and inequality are capable of being redressed by legislative machinery, and that the right mode of obtaining this legislative machinery is by refusing the continuance of this tax, and thereby compelling the Government to make it just and equitable. Lastly, there is the argument of the hon.

Member for Montrose, who says, that our expenditure has been increasing, without reason or necessity, for the last few years, and that the right mode of preventing, for the future, this waste of our resources, is not by an investigation into the particular items of the account, but by a stoppage of the supplies. Sir, on each of these arguments I feel it to be my duty to make a few observations as briefly as I can; and first, with respect to the argument of the noble Lord the Member for Lynn. It appears that the noble Lord and the hon. Member for Buckinghamshire seriously believe that duties imposed upon articles of consumption do not operate as a burden upon the people of this country, but that such duties are ingenious contrivances for extorting money out of the pockets of foreigners for the payment of our debts. If I believed in this theory, I should undoubtedly vote with the noble Lord for the reimposition of such duties. The noble Lord has entered into an elaborate argument upon the articles of cotton, timber, brandy, and tallow, for the purpose of proving that the effect of diminishing the duties upon these articles was to increase their price to the consumer. Consequently, he infers that the reimposition of those duties would diminish the price to the consumer. Now, Sir, the noble Lord did not quote these articles as exceptionable cases —he adduced them as fair instances of a general theory. I am, therefore, not misrepresenting the noble Lord when I say, that the principle he seeks to enforce upon the House is, that the imposition of duties on imported articles does not operate as an evil to the people of this country, but that it confers upon the State a revenue derived from the resources of those foreign countries which produce the articles on which the tax is levied. If I could put the slightest faith in this theory, I would undoubtedly vote for the substitution of indirect taxes for this income-tax; but I would go much further, and vote for the imposition of duties upon all imported articles of general consumption, as, if the theory were true, I see no bound or limit to the sum which we might not raise for the purposes of the State, without pressure or inconvenience to our own people. Sir, I am not going to argue against this theory—it seems sufficient to me to state it. All I say is, that if I admitted the premises of the noble Lord, I should agree with him in his conclusion to vote against the present proposal of the Government; but denying, as I do, his theory, I cannot admit the conclusion he deduces from it, and therefore I cannot recognise the reason he gives for his own vote as a valid one for mine. I now come, Sir, to the question of the injustice of this tax; and, in the first place, I must say that I think this consideration is a most important one, and that my hon. Friend the Member for Cockermouth did good public service in bringing the subject fully and fairly before the House; for, Sir, an impression most injurious to the credit and honour of the Government and this House has gone abroad amongst the public, namely, that this injustice and inequality are not evils necessarily inherent in an income-tax, but that they arise from the carelessness and inattention of successive Governments that have proposed this tax, and of the successive Parliaments that have sanctioned it. Sir, I do not exaggerate when I say that this opinion is injurious to the Government and this Parliament; that it ought as soon as possible to be eradicated from the minds of the people. Now, the only modes by which it can be thus eradicated, are either by the fact of our at once making this tax just and equitable, or, if that be impossible, then openly and distinctly stating that impossibility, so that the people of this country may make their choice with a full knowledge of what they choose, between taxes on consumption, on the one hand, with their evils and inconveniences; or, on the other hand, this income-tax, with its inevitable incidents and attributes. I think, therefore, that it is the bounden duty of Parliament at once to make this tax as just and equitable as possible; and I say this without reference to the question whether it is imposed for one year, for three years, or for ever. But, Sir, what I do protest against is, Parliament neither doing anything to remedy the evils of this tax, nor openly proclaiming that its evils are beyond the reach of legislation, whilst hon. Members continue to repeat that they are in favour of direct taxation, provided it be made just and equitable. And now let me say a few words with respect to the nature and magnitude of this injustice. In the first place, I do not agree with the right hon. Baronet the Member for Tamworth when he says, that the injustice of an income-tax is only precisely the same as the injustice of all taxes upon expenditure, inasmuch as a person with a temporary and precarious interest, pays taxes upon expenditure in the same manner as a person with a permanent income. There is this distinction between the tax upon income and the tax upon expenditure, which the right hon. Baronet overlooks, namely, that when taxes are imposed upon articles of consumption, so that a man is taxed according to his expenditure; then as to that portion of his income which he saves, he escapes taxation altogether. Whereas, when a tax is laid upon income, however weighty a moral duty there may be imposed upon him to save a portion of his income, still he has to pay the tax as well upon that portion of his income which he saves, as upon that which he expends. There is no doubt some peculiar injustice in an income-tax arising out of this distinction; but it must be recollected that there is also an injustice involved in the tax upon consumption or expenditure, namely, that when taxes are thus levied, if a man without any moral duties rendering it incumbent upon him to save a portion of his income, does, in fact, lay by a portion of his income, or spend the whole or a part of it abroad, then as to that portion which he saves or spends abroad he escapes taxation altogether, and of course increases the burdens upon others. The peculiar injustice of a tax upon income is, that a man pays the tax upon that portion of his income which he ought to save, or which he does in fact save. The peculiar injustice of a tax upon expenditure is, that a man does not pay the tax upon that portion which he saves without reason, or spends abroad—the one injustice may be considered the converse of the other. The question, however, which I wish to put to the House is not so much as to the magnitude of the injustice in either case, but this, whether it would not be as absurd to attempt to make a tax upon income vary according to the duties which regulate the expenditure of men, as it would be to attempt to make a tax upon consumption or expenditure vary according to the amount of a man's income; and whether we must not make up our minds to take either the tax upon expenditure, with its peculiar injustice, on the one hand, or, on the other hand, the tax upon income, with its peculiar evils and advantages? And now, Sir, I come to the argument of my hon. Friend the Member for Coventry, who contended the other evening with great force that absolute estates, estates for life, and temporary interests, should be taxed after a different rate. Now, Sir, it is undoubtedly true, looking exclusively to land, that there are interests of various descriptions: there is the absolute owner of an estate in fee, who has an interest worth twenty-eight or thirty years' purchase—the owner of an entailed estate possesses an interest scarcely less valuable than an absolute interest. Then we have the case of a tenant for life, who, if his life be a precarious one, and the land go to a stranger after his death, has an interest which may be worth only two or three years' purchase; then we have the whole body of the clergy, whose estates are not only temporary, but subjected to heavy burdens, and imposing active and laborious duties—or if we take the case of the endowed schoolmaster, with an income of from 200*l.* to 300*l.* a year liable to be dismissed by the trustees who have appointed him, we shall have an instance of an estate out of land as temporary, fleeting, and precarious, with as onerous duties attached to it, as it is possible to conceive. We have, therefore, beginning from the case of the owner of an absolute estate, down to these cases of a poor clergyman or schoolmaster, instances of estates of all descriptions, from the most certain and permanent, down to the most temporary, precarious, and laborious; and it does seem undoubtedly a great injustice to tax all these at the same rate. Still, let me call the attention of the House, to this fact. According to the old poor-law, the 43rd Elizabeth, one of the most successful statutes in the book, and under which a greater amount of taxation has been levied than under any other statute on record, it is enacted, "that every inhabitant of a parish shall contribute for the purposes of the Act, according to its ability." Now, Sir, what is the construction that has been put upon this word "ability?" From the time that this Act came into operation, two hundred and fifty years ago, down to the present time, the construction has been that in determining the "ability," the sole consideration is the value of the land; and not the slightest attention has ever been paid to the fact, whether the estate of the owner or occupier was certain, temporary, precarious, or liable to professional duties; so that the poorest tenant at will of a landlord, himself possessing the most temporary estate, has had to contribute after the same rate of assessment as the absolute owner of an estate of thousands a year, himself in the occupation of his own land. Now, this principle of taxing for the poor-rate certain and temporary incomes in the same manner, is not merely the construction of judges and lawyers, but it is the construction which has met with the common consent and approbation of mankind. I am not saying anything of the justice or of the injustice of the principle; but when we find that it has been in operation for this length of time without complaint or remonstrance, you may depend upon it the principle is not so repugnant to common sense, and the innate feeling of justice, as is generally supposed. This statute, Sir, applies to personal estate as much as it does to real estate; but its operation is prevented with respect to personal estate by subsequent statutes. If, however, it were permitted to be applied to personal estate, its construction would be the same. It would be impossible that the word "ability" should have one signification with respect to land, and another with respect to personal estate; and the result would be, that as with respect to land certain and temporary incomes contribute after the same rate of assessment, so with respect to personalty, certain and temporary incomes would contribute in the same manner. I have shown, Sir, the different character of estates in land: it would be easy to show that interests in personalty are in like manner various. The absolute owner of guaranteed railway shares possesses an interest not materially different from the absolute owner of land. I recollect the chuckle with which the hon. Member for Sunderland told the Chancellor of the Exchequer that his securities were worth more than Government securities. Between such securities, then, and money in the funds, or absolute estates in land, there does not seem to me to be any material distinction in principle relative to the proportion which they ought to contribute in taxation. Descending from the most valuable property, and going through the share list, we should have interests less and less in value, more and more uncertain until they became absolutely nothing. Again, terminable annuitants stand in much the same condition as leaseholders with a certain number of years to run previous to the expiration of their interest. The case of professional men is not very materially different from the cases of clergymen and schoolmasters, to which I have already alluded. Sir, when this income-tax was first imposed, its evils were perfectly well known: Both in the year 1842 and in the year 1845, they were proclaimed abroad, and it was continually prophesied that though men might tolerate an income-tax for a short time whilst they were sanguine in their hopes of the benefits that they were to derive from the remission of indirect taxation, still that the time would come when they would become impatient and would no longer tolerate this tax, and then that the Legislature would be compelled to take it off. Sir, although I was not then unaware of these dangers, yet I acknowledge that I was sanguine concerning direct taxation, and I was willing to hope that the great and increasing knowledge and common sense of the community would enable them to bear the evils of this tax, when they considered the great advantages that they derived by a relaxation of the restrictions upon trade, and by a reduction of the duties upon the most important articles of consumption. Nay, more than that, I indulged in the hope that the policy might be carried farther, and that by degrees direct taxation might more and more be substituted for taxes on consumption. I regret most sincerely that these hopes have been disappointed; still as I knew the risk at the time this system was commenced, I have not much right to be surprised at its failure. But, Sir, I did not expect this which has occurred—namely, that when the hour of trial has come, when the impatience of the people does demand the discontinuance of this tax—I did not, I say, expect that those who were the leaders in the cause would be the first to desert it; that they would be the parties to exaggerate its enormities, to enlarge upon its evils, to side with its opponents, and go out into the lobby with the noble Lord the Member for Lynn and the hon. Member for Buckinghamshire. Sir, I candidly acknowledge that the events of the last few weeks, and more especially the conduct of those who were most ardent for direct taxation, has shaken most materially my confidence in the principle; and I do not hesitate to say that I think, hereafter, no wise Minister will be justified in trusting for any considerable portion of the ordinary revenue to so frail and precarious a source. Considering, therefore, that this injustice was as perfectly known as its other evils at the time of its imposition, I cannot recognise it as a sufficient argument to induce me to refuse the demand of the Government. At the same time, this I can conscientiously say, that no man will go into the Committee with a more sincere desire to improve it as far as legislation can go. All I say is, if that proves to be beyond our power, let us at least have the manliness openly to avow it. Now, Sir, I come to the last reason which is urged against the demand of the Government, namely, that the expenditure for warlike purposes has been increasing for several years without any cause or object whatever. I was not a Member of this House when this expenditure was sanctioned, and I feel some diffidence in speaking about details; but this I do say, that I know no reason for this great and increasing expenditure, and I think the public have some good grounds for complaint against the Government. Sir, I represent a large constituency, unanimous (as I believe are all classes of this community) in favour of the maintenance of peace; and further than that, there is a considerable portion among them who look upon every form of war with the greatest disgust and abhorrence; and who, therefore, necessarily regard all expenditure for such purposes with great jealousy and dislike. Now, Sir, I am not here to make unreasonable demands, or to hold out extravagant hopes elsewhere. I know the political movements which render this period an exception to ordinary times; but I nevertheless say, that this feeling in favour of peace is not peculiar to this country, but there has grown up within the period of the last peace, a general conviction amongst the active and industrious of the middle and lower classes, that their interests, are above all, sacrificed by war. Sir, I know that at this particular moment there are elements of discord enough afloat in the political atmosphere to make it impossible for any one to predict when and where the conflagration will take place, or how widely and fiercely it may spread; but should we by the blessing of Providence escape the dangers that now threaten around us, I think there will be open to us a career more truly noble than any upon which we have hitherto entered, namely, to place ourselves at the head of this pacific movement, this commercial tendency, and exhibit a large and liberal confidence in the other nations of the world. I say not that such a course will be wholly free from risk—perhaps no truly great course ever is so; but we shall thereby diminish the heavy burdens that now press upon our people, and prove to the world how strong and sincere is our conviction in the truth of that great principle of commercial freedom which we have announced to the world as the surest means of binding nations together by the firm bonds of mutual benefits reciprocally given and received. I have no doubt, Sir, that the influence of England will be exerted for the maintenance of peace in all quarters; and any sudden reduction of our establishments at this moment would not be attributed to that confidence to which I have alluded, but would be considered as a proof of our internal dissensions and financial weakness. However ardent, therefore, at other times might be my wish for a reduction of our military establishments, I cannot at this moment consent to weaken the influence or paralyse the arms of England. I have now only to thank the House for the patience with which it has heard me, and to say that after examining the several reasons that have been brought forward in thi sdebate, I cannot reconcile a refusal of the proposal of Her Majesty's Ministers with my idea of the paramount duty I have to perform in maintaining the financial credit of the kingdom.

Mr. SANDARS said: As an independent Member of this House, belonging to no party, representing a constituency feeling strongly on the question before the Committee, I beg the indulgence of the House while I explain my reason for the vote which it is my intention to give. The noble Lord at the head of Her Majesty's Government told us the other evening when he brought forward his financial statement, that he had a deficiency of a million for the past year; and he calculated a further deficit for the next year of three millions and upwards. I was not surprised at this deficiency, considering the general depression of trade, the partial suspension of manufacturing industry, and the panic that prevailed, and that, in fact, "the springs of industry were broken." If I were surprised, it was that the deficit was not greater—that it was not eight or ten per cent in place of two per cent. But I was surprised, I was disappointed, when the noble Lord at once proposed to make up that deficiency by an increase of two per cent on that unjust, unequal, and inquisitorial tax—the income-tax. Surely, the noble Lord could not have known the feeling of the country, or he would not have placed himself and the Government in the humiliating position of proposing a tax one night, and coming down to this House in a few nights after to withdraw it. The noble Lord should have taken a leaf out of the book of the right hon. Member for

Tamworth; when he proposed his income-tax in 1842, and again in 1845, he told the House and the country it was but a temporary burden for three years only, and that he proposed to take off taxes on industry and on the necessaries of life, which would more than compensate for the new burden. In fact, that while he laid on an income-tax to the extent of five millions, he proposed to take off taxes to the amount of seven or eight millions. Thus he gilded the pill he wished us to swallow; but the noble Lord offers us no spice to qualify the dose, or to make it more palatable. He simply says, "I have a deficiency of so many millions—I propose to increase the income-tax to supply the deficiency." The country does not object to an income-tax, if it be based on a fair and equitable principle; but it does object, and I tell the noble Lord the country will not long bear the tax, not even at three per cent, with its present inequalities. I shall not detain the Committee by entering into this question, as it was so ably dealt with and exposed by the hon. Member for Cockermouth, further than giving one illustration:—Suppose two parties, each having 20,000*l.* of capital—one invests it in land or the funds, for which he receives four per cent, or 800*l.* per annum; the other puts his into trade, and by his skill, energy, and industry, he realises eight per cent, or 1,600*l.* per annum. I say, is it just, is it equitable, is it reasonable, that the bee of the hive should be taxed double, for the same capital, to the drone: the one employing the labour and promoting the industry and wealth of the country; and the other content to live at ease, possibly spending most of his income in foreign countries? I shall now give my reasons for supporting the Motion of the hon. Gentleman the Member for Montrose. They are these. First, on account of the inequality of the tax. I think one year is long enough to submit to such inequalities. Next, on the score of economy—I wish to force Her Majesty's Ministers to exercise the most rigid economy in every department of the State, consistently with keeping up the efficiency of the public service. And, thirdly, because I think the time has arrived when we ought to have a complete revision of our system of taxation. Many hon. Members of this House, as well as the country at large, are of opinion that certain taxes ought to be repealed or reduced, and others of a less objectionable nature imposed. That the tax on air and light—the window-tax—ought to be repealed; that the tax on soap—a tax on cleanliness—ought to be reduced; that the tax on tea, if we are to act with fairness to China, and to encourage our trade with that country, ought and must be reduced; that the tax on insurances—which is a tax on prudence—ought to be repealed; and that the five per cent added in the year 1840 to the Customs and Excise, and which, it is notorious, answered not the expectations of its framers, ought to be abandoned. Let me not be misunderstood. I would not take off one of these taxes unless the revenue could afford it, or other substitutes could be found less objectionable. I am of opinion, that a well-adjusted house-tax is preferable to the window duty; and I am for taxing the succession of real property. I know this proposition will be unpalatable to many hon. Gentlemen around me; but that will never prevent me so long as I have the honour of a seat in this House, of expressing fearlessly the opinions I hold. When Mr. Pitt introduced his Bill in 1796, for a tax on personal property, viz., the probate and legacy duties, he accompanied it with another for a tax on succession of real property. I will read to the Committee the opinion then expressed to the House by Mr. Pitt:—

> "Mr. Pitt agreed that the principle on which the two Bills were founded was much the same, and that if this Bill (tax on succession of personal property) passed, it would be very desirable that the principle should be extended to real property."

Sir, the Bill for the tax on the succession of personal property did pass; but on the second reading of that on real property a division took place, fifty-four voting for it, and fifty-four against it, the Speaker giving his casting vote in favour of the measure; but in consequence of the threats of the landed interest, the right hon. Gentleman subsequently was obliged to withdraw the Bill. Thus the House will see that it was the intention of the Legislature when it taxed the succession of personal property, also to tax real property. Nor, Sir, can I see any reason why Ireland should be excluded from the operation of the income-tax. Irish Members are continually asking for equal laws; let us now begin with the income-tax. Ireland is already free from some twenty millions of taxation to which this country is subject; and I can see no principle of justice or equity in allowing an Irish landlord to draw some

5,000*l.* or 6,000*l.* per annum out of the country, and spend it probably on the Continent; whilst the noble Lord the President of the Council, and the noble Lord the Secretary for Foreign Affairs, because they reside in this country, are subject to the impost. Nor can I see the justice of freeing a merchant or manufacturer at Dublin, Belfast, or Limerick, earning his 2,000*l.* or 3,000*l.* per annum; whilst parties in the same position residing in London, Liverpool, or Manchester, are subject to the tax—nor why a person having a clear income of 150*l.* per annum in that comparatively untaxed country, should not be equally liable to the tax, to one having the like income in this country. Sir, I am satisfied much may be saved without impairing the efficiency of our armaments: the hon. Gentleman the Member for Montrose has stated he could save near one million in the collection of the revenue; and the hon. Member for Glasgow has moved for a Committee on the naval and dockyard departments, and he pledges himself to prove that upwards of one million may be saved without at all impairing the efficiency of that branch of the service. The hon. Member for West Yorkshire has told us there is a strong feeling amongst his constituents and in the country for reducing the expenses of our Army and Navy to the standard of 1835. In the present political state of the Continent and the world, I am not disposed to vote for any such reduction. Considering recent events in a neighbouring country, and our vast colonial possessions, and that every British subject expects, and has a right to expect, in every quarter of the world, in Her Majesty's dominions, the protection of the British Crown—considering the vast increase in our trade since 1835, I am not surprised at the increase of our Army and Navy; and I think it would be the worst possible policy to attempt at the present time any reduction. I think, Sir, with the noble Lord, that keeping up the efficiency of our armaments is the best guarantee for peace. But, Sir, it does become a serious question for the consideration of this country, whether, under the new policy of free trade, some of our colonial possessions are worth the expense they entail upon us. I have, by the last mail, received letters from Canada, stating the great dissatisfaction which exists in that colony in consequence of the free-trade policy of the mother country. I will, with permission of the Committee, read an extract from one:—

> "Montreal, Feb. 5th, 1848.
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> "The opening your ports to foreign countries, while you compel us to ship in British vessels, and give us no advantage in your markets, places Canada in a worse position than any foreign country. Unless something is done, we shall have another rebellion; and if so, it will be a serious one, as there is universal dissatisfaction, even amongst the most loyal inhabitants. If Great Britain would compel the colonies to take all the goods which she manufactures, and they consume, from her, and then give us a preference over foreigners with our produce in her markets, it would, we feel sure, be a much wiser course than this new free-trade system, of which so much has been said."

Sir, if such a rebellion should unfortunately take place, and after the injustice we have done them, I would rather lose the colony than attempt, at a vast expense of life and treasure, to force them into submission. We are now, whether right or wrong, committed to the principles of free trade; and, Sir, though I opposed the policy of the free-trade movement—as is well known to many hon. Members opposite, from the counties of Lancaster and Yorkshire—yet, as it is now the law of the land, I am for giving it a full and a fair trial. As yet it has had no fair trial; and I cannot agree with hon. Gentlemen around me, who are again and again attributing all our misfortunes, and all our commercial and financial distress, to the effects of the free-trade policy. Why, Sir, the most important element of free trade is corn. That does not become free till February, 1849. I say to the Protectionists—Wait till you see the effect of that measure, coupled with good harvests, and if I mistake not, your prices of wheat will fall to 35*s.* per quarter; you will have a cry of agricultural distress; and if, added to this, you should have commercial distress, then will be your time to move; then you may have the country with you. For I believe there is sufficient good sense and moral courage amongst even the free-traders themselves, that if they find free trade, after a full and fair trial, does not answer in this country, they will at once go back to a safer system. I much fear this may be the result; I hope I may be wrong; for I well know what distress and suffering would be the consequence to the great interests of this country, should it prove that the free-trade policy has been a wrong step. Sir, the hon. Member for Westbury, in his able and temperate speech the other evening, made some remarks to which I cannot subscribe. He attributed the large import of corn and flour in 1847, to the operation of the new corn law. Why, Sir, does the hon. Gentleman forget that the new corn law was suspended in February, 1847, and again, in September, to the 1st March, 1848? Why should not the old law, if then in existence, have also been suspended? Besides, Sir, under the old law, we should have had but 1*s*. duty, thus encouraging imports from all parts of the world. The hon. Gentleman also asserts, as a proof of the success of the free-trade policy, that from those countries where we received our largest supplies of corn, namely, America and Russia, our largest exports were directed; and that to the former country the increase was upwards of two millions in value. I should like to ask the hon. Gentleman what amount of those exports was forced exports, in order to bring back the gold which our large imports had drawn from us? And, again, what portion of those exports was caused by the high prices we were forced to pay those countries for their corn; producing not a permanent but a temporary demand, in consequence of the general failure of the crops in Europe, and thus producing, through scarcity and competition, the high prices we had to pay, and which was not a consequence of free trade, but of the temporary deficiency and the European famine which prevailed. The hon. Gentleman was also very eloquent in expatiating on the inequalities of the income-tax; and he made out so strong a case for the revision of that tax, that I was greatly surprised he should consent to its renewal for three years, with all its injustice and inequality. Sir, I thank the House for the patience and attention with which they have heard me; in conclusion, let me remark, I am not for infringing the rights and the privileges of the aristocracy on the one hand, nor the rights of the people (the democracy) on the other. But there is in this country, fortunately, a strong middle class, who hold the balance of power; and I tell Her Majesty's Ministers they are the strength, the safety, the glory, of the column. Propitiate them; let them have no just ground for complaint; then the whole social fabric stands secure and blest.

Mr. Rice believed that the House could not inflict a heavier blow upon the public credit of the country than by refusing to accede, at the present moment, to the proposition of the Government. The hon. Member for Montrose thought the Government might economise the resources by entering upon a revision of the entire expenditure of the country; and he agreed that this might be done; but it was impossible to do it in the present year. He hoped that a reduction of the estimates might be made without affecting the efficiency of our means of defence. In contending that this country should be efficiently protected from foreign aggression, he demanded nothing more than that which every Member of the House of Commons ought to be ready to concede; he asked no more than that England should be placed in the same state of security as other countries. Those who were old enough could not fail to remember the condition of extreme danger in which this and other countries were placed during the late war. With those dangers present to his mind, he could not help asking, was it not the duty of every one engaged in the business of legislation or government to use his best endeavours to prevent the recurrence of such dangers? and, if we looked around us for the most effectual mode of protection, we should find it in the maintenance of our naval force. He felt that in that department, at least, there could not, with safety, be any reduction of expenditure; and yet it was difficult to look at the general cost of maintaining our civil and military establishments, without being convinced that the country could scarcely bear the weight of taxation which Parliament imposed. One example he would mention, just to show the working of our fiscal system. He knew one estate that produced to its owner only 800*l*., and yet the total annual taxes paid on account of that estate by landlord and tenants was at the rate of 1,500*l*. Nothing could be more evident than that the taxes pressed most heavily upon all classes, upon the proprietors of land as well as upon those who were engaged in commercial pursuits. Every one felt, and no one could avoid acknowledging, the unequal manner in which the income-tax affected those by whom it was paid; at the same time, he was as ready as any one to admit that all the inequalities in the system could not at once be smoothed down. It was the duty, however, of the responsible advisers of the Crown to apply their minds to the subject, and use their best endeavours to establish a uniform plan. This, of course, could not be effected without a general revision of taxation; and that was exactly the point at which he wished to arrive. He wished to call the attention of his hon. Friends to the absolute necessity of entering upon such revision; at all events, in the course of the next year. This he thought very necessary; but he thought it likewise important, if the Government should resolve to engage in such revision, that they should make known their intentions on the subject. With respect to the income-tax itself, no one could be more sensible than he was of its inequality, and of the severity of its pressure; but he should rather allow it to exist for three years longer than not get rid of, and continue to keep off, the taxes which had pressed upon industry. He should give his vote in favour of the Government proposition of continuing the tax for three years longer, and he hoped that the adoption of that plan would maintain the honour and credit of the country.

Mr. BUCK agreed with those who thought that new financial arrangements must be made, or that the income-tax must be given up; yet in common candour and honesty he was bound to say, that never was there a tax more revolting to the feelings of the people of England than the income-tax. When it was first laid upon this suffering community, they were told that the object of its imposition was to relieve us from a state of the utmost financial embarassment, and that when the temporary evil from which it was so proposed to rescue the country should have passed away, the income-tax was to cease with the cause which had called for such a heavy burden. When that expectation was held out, who could have supposed it possible that this tax was intended for such a purpose as it had been applied to —who could for a moment have thought that it would have been used for the purpose of aiding those measures, the passing of which had shaken all confidence in public men? At the time those measures received the assent of the Legislature, every branch of our national industry was in a flourishing condition, and now every one of these was in a state of deep depression. At such results it was impossible for him or for any man to look without feelings of the utmost alarm. Generally speaking, he was disposed to support the Government in cases of emergency, but he did not see how he could support a continuance of the income-tax for three years longer. If the taxes upon estates were averaged, he had no doubt it would be found that, on the whole, they paid not 3, but 5 per cent. He had often heard it said that the monied interest in this country possessed enough of capital to purchase all the land in England. Now, if that class were really so wealthy, it would be only fair to expect that they should bear a little more of the taxes than at present fell to their share. Although he did not exactly see how the expenditure of the country could be lowered, yet he wished and hoped that the Government would turn their attention to the subject; and he ventured to believe that, after the hints the Government had received, they would see the necessity of a change; for his part he should now, and at a future time, be prepared to support a different system of taxation from that which now prevailed.

Mr. LENNARD said, there could not be a tax more unacceptable to the great body of the people than the tax upon income. It was marked by every feature which could render it odious and intolerable. It was, as they all knew, most inquisitorial. It was most objectionable on account of its incurable inequality. He voted with the hon. Member for Cockermouth, thinking, as the right hon. Member for Portsmouth did, that it would be most desirable to cure as many as possible of the inequalities which the income-tax system presented. But now, despairing of any such improvements, he should vote against the continuance of the tax. It was a tax originally bad enough; but it had been made worse and greatly aggravated by some of the provisions recently made with reference to it. The exemption of Ireland from its operation appeared to him most unjust. In his opinion, the same reasons which were alleged for exempting Ireland, would justify the exemption of absentees from the operation of the tax; and yet absentees laid out as much in the improvement of their estates as any other class of proprietors. Still, if the House of Commons refused this tax, he almost doubted that they had any alternative; there was, however, one thing that no man could rationally doubt, that England had adopted the principles of free trade irrevocably. It would be impossible for us to retrace our steps. Had he possessed a seat in the House when the measures of free trade were under discussion, he should certainly have voted against them; but, having been once practically carried out, he did not understand how it would be possible to get rid of them. He did not believe that, for the next three or four years, it would be possible very much to reduce our expenditure;

but he hoped that, by some means or other, the income-tax would soon cease to exist. It was impossible to withdraw our fleets and armies from our colonies at present; and, therefore, there were no hopes at present of materially diminishing our expenditure. He trusted that commerce might take the place of war; but, at the same time, it was impossible not to feel that such a consummation would require not only in this but in other countries a great change in the habits and modes of thinking of mankind. It seemed to him to be rather a matter of form than of substance whether the income-tax was granted for one year or for three, but he was not disposed to take upon himself the responsibility of creating an *interregnum* at present. He saw, therefore, no prudent alternative but that of voting for the Government proposition, as he thought it the only means of maintaining the public credit.

VISCOUNT DRUMLANRIG said, the hon. Member for Westbury had made a speech which must, he thought, force an answer from hon. Members of the Manchester school, although they showed such an indisposition to answer the arguments brought forward by some hon. Members on that (the Opposition) side of the House, and generally by those who were prepared to support the income-tax in its present shape. He could assure them, however, that this system of burking evidence and arguments which they might find it difficult to answer, would bring them into disrepute. The hon. Member for the West Riding had said that there was nothing like repeating an argument if you desired to enforce it; and therefore he, as he supposed hon. Gentlemen opposite would not attempt to offer an answer to any further arguments, as they had not deigned to answer those already put forward, would content himself with repeating the emphatic language in which the hon. Member for Bucks (Mr. Disraeli) had concluded his speech:—

> "Are hon. Gentlemen here so poor in apprehension, and so dead in spirit, that they will submit without a struggle? If so, it will be but a poor consolation to us, after all we have already endured, to discover that the only return we have for a diminished revenue and a declining commerce is the arrogant effrontery of a class who obtained power by false pretences, and, having so obtained it, attempt to exercise it for their own advantage."

He could not understand how any one who had voted for repeal of the corn laws could refuse their assent to the proposition of the noble Lord. He (Viscount Drumlanrig) would have felt bound to oppose that measure had he been in Parliament; but at the same time he was equally bound to say, that that measure was a great and a bold one, and he only hoped it might prove more successful than those who were opposed to it conscientiously believed it would. He felt bound to give his assent to the proposition of the noble Lord.

MR. ROCHE was desirous that there should be no mistake about the vote that he was about to give. He was desirous that the people of England should not suppose that he, the representative of the most numerous constituency in Ireland, was actuated by base, corrupt, or selfish motives, in the course that he was about to pursue. If he had previously entertained any doubts as to what the course ought to be, the speech of the hon. Member for Westbury, who admitted that the tax was unfair and unjust; the speech of the hon. but not very secure Member for Liverpool, admitting that the tax was unequal; and lastly, the speech of the right hon. Baronet, the father of the impost, in defence of this iniquitous law, would have decided him; and when he recollected that London, and Manchester, and Liverpool, had all protested against this tax, he felt that, as a representative of the people, he had no alternative but to vote in favour of the Motion of the hon. Member for Montrose. He had read with great pain the speeches of his hon. and gallant Friend the Member for Middlesex, and of his hon. Friend the Member for Marylebone, who had declared their conviction that the liberal Irish Members would all support the Government upon this question. It was not for him to say what the liberal Irish Members would do, but he knew what they ought to do. Support the Government!—support that Government at the head of which was a man who when they and their people proclaimed the wrongs inflicted on them, and protested against the injustice under which they suffered, told them that sooner than redress those injuries he would force them to undergo the perils of civil war! Would they renerve that arm which had raised over their heads the scourge, and would dye their native soil with blood? Would they support that Government, the Members of which were earning for themselves, through the doings of their Viceroy, the just appellation of the Guizots of Ireland? That Viceroy was gagging the expression of public opinion in Ireland, by ostentatiously reviewing troops, parading dragoons, and bringing artillery into Dublin. Were they, the representatives of the Irish people, to place themselves under the command of the hon. Member for Louth, and to file into the lobby as the loyal Swiss guards of such a Ministry? He trusted, for the sake of the character of Ireland, that such would not be the case. He hoped that the representatives of Ireland would vindicate for themselves and for their people the high character which this country had always maintained. If they understood the true interests of themselves and their constituents, they would vote in consonance with the feelings of the people of their country on this question, as the popular cause, both in this country and in Ireland, must eventually succeed.

Mr. HENLEY said, that if he had any difficulty, that difficulty would be cleared away by the very extraordinary speech of the hon. Member for Cork, because, the true matter before the House being whether the tax should be continued for one year or three years, the hon. Member had introduced a new element of discord, and said they were not to support the Motion and strengthen the arms of a Government who were averse to the dismemberment of the empire. The right hon. Baronet late at the head of the Government having chosen, for some reason best known to himself, to introduce the financial policy of which he was the godfather, and the hon. Member who followed him having taken the same course, it was difficult for those who did not agree with him to give a silent vote on the occasion. That was a position in which he found himself, and therefore he would trouble the Committee with a few remarks. There had been an array of figures which he should not attempt to follow, by which some Gentlemen supposed we were now in a state of unrivalled prosperity. Another extraordinary thing was, that all those Gentlemen, without exception, begun with 1842, went on to 1845, passed lightly over 1846, attributing the commercial and financial prosperity to the measures which then took place, and then came to 1847, and said that the great depression was owing to the failure of food. He should like to know why they did not attribute the financial prosperity of the country to the good harvests subsequent to 1842? In 1836, there was a good harvest, and commercial prosperity in 1838, 1839, and 1840; a short harvest and commercial and financial distress in 1842; and after that, commercial and financial prosperity; and then, in 1847, commercial distress. But taking not one year, but twelve years in a series of three years, under strict probibitory and high protective duties, or under the system of free trade, there were precisely the same results. The prosperity of the country was attributed to a particular set of measures, and not to a gracious Providence. The hon. Member for Westbury and Oxford had rested the commercial prosperity on the measures of 1842 and 1845, without making the slightest allusion to the great expenditure of which the good harvest furnished the means. He was one of those who did not think that this financial or commercial prosperity depended much upon legislation; and every year's experience confirmed him in that conclusion. At what price had you purchased this? What promises did you make to the people, and how did you keep them? Because the late Government, taking up as they did the wholesome principles of the hon. Member for the West Riding of Yorkshire and his school, must be considered to have taken up those promises which he, on his part, made to the country. What did the hon. Member promise? He told the people that he would secure them, by measures to be introduced, from the effects of bad harvests. Had he done it? He told the shopkeepers they should be secure from a drain of gold and a monetary crisis. Holding out to the people advantages which it was not in your power to secure, had created distrust amongst all classes. Now we came to the financial question, and how did we stand there? No one had ventured to say in the face of the country that he thought those measures produced anything like recurring prosperity. Their forebodings had been of the most gloomy description. They were disposed to support a state of things which, as far as he had seen, had never produced prosperity or secured us from adversity. The hon. Member for Westbury, in treating of the financial part of the question, had thrown out some hints about what he called the strange conduct of the commercial world, and their anxiety to find new markets; he said he did not altogether blame them; he seemed to suppose they were to weigh the commercial colonies in a commercial balance, and ascertain whether they were worth keeping as a matter of profit and loss. He (Mr. Henley) protested against weighing the colonies of this country in a scale, and dealing with them as a simple question of profit and loss. There was one matter he wished to make an observation upon, and that was how much hon. Gentlemen in this House were apt to weigh financial and commercial questions solely by reference to figures. The hon. Member for the University of Oxford had referred to the silk trade. The hon. Member's notion of employment was, work without reference to wages. That made a very material difference. He never knew any man indisposed to work for himself, but he wanted to find wages for the work. Now, what were the right hon. Gentleman's notions of such a subject? The junior hon. Member for the University of Oxford had brought an array of figures to show that the hon. Member for King's Lynn was altogether in error in quoting the silk trade as having suffered from the operation of free-trade measures. The figures stated by the right hon. Gentleman were, that in ten years, from 1834 to 1843, there were imported into this country, of raw silk, 3,742,000lbs.; thrown silk, 2,650,000lbs.; silk goods, 219,000lbs. The profitable wages of labour were earned mainly on the valuable silk goods which came in under the denomination of silk goods. In 1846 and 1847 the quantity was—of raw silk 4,205,000lbs.; thrown silk, 3,710,000lbs.; silk goods, 408,000lbs.; and it was said, see the addition to the quantity of raw silk, and therefore there was more employment for the people. On raw silk the increase was fourteen per cent; on thrown silk, a partly manufactured article, the increase was seven per cent; but on silk goods, an article on which the unfortunate people of this country could earn something like profitable wages, the increase was eighty-six per cent. As to raw silk, on which there was an important increase, it was worked up in the low descriptions of goods which were forced back on France, and the wretched artisans hardly earned wages to keep them. So much as to silk goods, which put out of work the looms of Spitalfields. He was one of those who thought no measure beneficial to this country which did not give the people, as well as employment, the means of getting wages; and he thought that one of the evils under which the country was labouring was, that the legislation of the House had been conducted solely with a view to benefit the capital of the country, without reference to the working people. He did not pretend to say that you could stop the great commercial spirit which was now abroad; but he did not think it necessary or wise to give it greater force, because he believed it was an antagonistical principle to labour. It would be more the part of wisdom to endeavour to give to each a due share, than throw the weight into one scale. No one would suppose that he was going to advocate the regulation of wages; he believed that to be impossible; but it was a different thing to throw the whole weight of legislation into one scale. Let both interests have fair play, and do not sacrifice the poor people of this country under false promises. They ought not to make fallacious promises to the poorer classes which they would never be able to perform. He (Mr. Henley) did not accuse hon. Gentlemen opposite of injustice. They had endeavoured to secure to the poor people of the country a large supply of food; that was their avowed object; and he found no fault with it, because if they were to run our people in as hard a race of competition as it appeared they wished, it was but right they should also provide them ample supplies of food. His complaint was, that it was not advisable to enter into every race of competition, as hon. Gentlemen wished; and he did not think the experiment hitherto made had proved successful. The question more immediately before the House was, would they adopt the measure now recommended for their approval by a Government with an empty exchequer—a Government which was not strong, and which had shown itself within the space of a few months back—when the Chancellor of the Exchequer stated his belief, in September last, that there would be no difficulty in our monetary affairs — as ignorant of the true state of the country as they had very recently shown themselves egregiously ignorant of its temper, when they had been compelled to relinquish their proposed increase of the income-tax upon the popular veto being loudly and plainly expressed against it. And how was public credit to be maintained? The Government now turned round and said—"When we forbear to ask for additional taxation, we think the existing revenue of the country may meet the expenditure, if you take two or three years together;" and it also referred the whole of the expenditure to the revision of a Committee, with the view to a reduction. In the present depressed state of trade, and the uncertain prospect before them as to the future, it would be an enormous evil to the interests of all classes of the community if faith with the public creditor should be broken; and he asked, would it be just or fair to the Government or to the country not to give the Ministry their support in their measure, without which he believed the finances of the country would be broken down? He confessed he had great apprehensions as to whether the Government would adopt a safe course. The deficiency bills, which in all probability must be resorted to, would be attended with great danger, particularly if the present Bank Charter were maintained; but the Government was responsible to the country; and he felt justified, in the present state of Europe and the country, in acceding to the continuance of the income-tax for three years longer. The hon. Member for Newcastle (Mr. Headlam), in his clear, able, and lucid speech that night, had adverted to the alleged inequalities of that tax; and he entirely concurred with the hon. Member that it would be more straightforward and honest if hon. Gentlemen who had so freely stigmatised and abused the tax were to point out how their complaints were to be remedied, or else frankly admit that they could not. He, for one, would gladly support any practicable plan for getting rid of its so-called inequalities, if they would only show how it was to be effected. But he had seen no such scheme that would secure the necessary amount of revenue. The hon. Member for Westbury had put forward the most extraordinary views on this subject, and had said that Mr. Pitt taxed capital in the funds and land, as he viewed it. But how did he reconcile this with saying he did not tax capital? He taxed capital in trade as well as the funds, only the taxation was differently applied. The hon. Member for Westbury had said he would treat these two species of capital in different ways. Public credit demanded that capital in the funds and land should be taxed the same as other capital; and, for his part, he could see no other difference between the two, excepting that the man by trade endeavoured by skill and activity to obtain 15 per cent; whereas the fundholder was content with 3 or 4 per cent, and the landholder with 2 per cent. He saw no reason why incomes derived from trade should be dealt with differently from other incomes; and it must have been remarked that not one Gentleman who had recommended improvements in the tax, but had confessed that the subject was beset with difficulties. When the hon. Member for Glasgow admitted that he was perplexed upon it, he should not be surprised if most minds feared to tackle it. He wished that his support of the Government on this measure was not given as on a question mixed up with the free-trade policy of recent years. He was not convinced that that policy had contributed to the well-being of the country, and he should decline to support the present measure if such a course necessarily implied an approval of that policy. He should be ready, if even such a miracle happened as that a Whig Chancellor of the Exchequer came before them three years hence with a good surplus revenue, to either reduce the income-tax, or to vote for any reduction of the national expenditure, as far as was consistent with whatever he regarded as right and proper.

Mr. MOWATT considered that the question before the Committee was one of such vital importance to the well-being of the country, to its onward progress, and to its peace and tranquillity, as of itself to form a sufficient excuse for, and indeed to justify, any Member of this House, however slight his claims might be upon its attention, in desiring to express his opinions as well as to give his vote upon it. He desired to explain also, why, being an advocate for direct taxation, a strenuous advocate for that form of taxation, and being also a Liberal, he yet felt it to be his duty to support the Amendment of the hon. Member for Montrose, Mr. Hume, in opposition to the measure proposed by a Government styling itself also Liberal. And, first, a few words on that Government. He, Mr. Mowatt, had entered that House as a Liberal Member, in the hope and expectation that he should be able to give that Government, styling itself likewise "Liberal," his general and hearty support. He was sorry to say, however, that so great had been his disappointment at the budget they had brought forward to the House, and in fact at their whole financial scheme of policy, that he felt obliged to withhold from them his support in this case. Indeed, he would say further, that he should feel ashamed to be considered an adherent of the present Government, so far as their financial policy was concerned. He thought with reference to it, that the existing Government, so far from realising the hopes and expectations of the country, had, on the contrary, shown a disposition not merely to stand still, but actually to retrograde.

What was the character of the budget before the House? What was the system of raising a revenue, that they were now called upon to support? Why, the Government did not appear to have made up their own minds, even, to pursue the course they had at first proposed to themselves. They did not appear to have fully determined whether they would adhere to a system of direct taxation, or whether they would go back to the old and, he had hoped, almost obsolete scheme of raising a revenue, indirectly, from the industry and labour of the people. He considered that the Government had failed utterly to make out a case for the continuation, far less augmentation, of the income-tax, in its present unequal and therefore unjust and oppressive form. He had been in hopes, for one, that they would this time have come down to the House, with some bold plan of their own, and said, "We are ashamed of the oppressive, unfair, and unequal way, in which the revenue has been hitherto raised. We will take a leaf out of the book of the hon. Member for Tamworth, who has set us so good an example." Yes, he (Mr. Mowatt) had really believed, that they would on this occasion have come forward with some bold proposition of their own, to relieve the industry, the trade, and the labour of the country, by an improved and more equal system of taxation. But he was afraid that the present Government, like that which had preceded it, was too aristocratic in its formation and character. It was too exclusive, and trusted for its opinion and information to a set—to a clique—that did not give sufficient consideration to the wishes and wants of, and had no sympathies with, the people. Had this not been the case, would they, in such utter ignorance of or indifference to the necessities, feelings and desires of the people, have come down to this House with such a monstrous proposition as that involved in their budget? Most assuredly not. If this were otherwise, why had not the Government come forward with a proposal to extend the probate and legacy duties to real property, to land, and make them available to the purposes of the Exchequer? Why not have come forward and said, "Here is a way by which we shall relieve the country from an unequal and oppressive taxation, to the extent of at least 2,000,000*l.* per annum? Had they done this, they need not then have been ashamed of, nor afraid to stand by, their financial scheme either in that House or with the country. Why had they not taken this plan? Why had they not performed their duty? However unwilling he might be to impute bad motives to a Ministry, he had no alternative in this case; he must say, that the object and intent of the Government scheme was, to indulge one class of the community, well able to bear its burdens, at the expense of the others; and they had therein evaded and shrunk from a manly performance of their duty. Was it possible to assign any other motives of action to the Government, with relation to their deplorable budget, than the desire to protect this already favoured, dominant class? Besides, the Government appeared to have forgotten that the country was in a crisis. No one could, however, doubt the existence of that crisis. The revenue too had fallen off, and yet the public expenditure had been increased—had been reckless, heedless. He observed that the expenditure of last year had exceeded that of the previous year by no less a sum than 3,250,000*l.*, and yet no intention had been expressed by the Government to reduce that expenditure in the ensuing year. It was monstrous. Why, he repeated, had they not come down to the House, and said — and as the country had a right to expect from a liberal and progressive Government—a Government of the middle classes, as they had been taunted with being by Gentlemen opposite, and to which, let him observe by the way, that if they were not a Government of the middle classes they might depend upon it they would in a short time cease to be a Government at all—why had they not come down and said, the country is in difficulty — we require a considerable and an additional sum of money—if, indeed, the necessity for having it could be established —and then, besides proposing the extension of the probate and legacy duty to land, bring forward some such measure as this: here is a vast amount of capital and wealth locked up in the shape of Crown and Forest Lands, wholly, or all but wholly, unproductive: we are anxious and propose to apply that capital to meet the present exigencies of the State. Was there any reasonable and unprejudiced man who would say that such would not have been a wise, judicious, and considerate measure? Even if the timber were grown on these lands under the most favourable conditions, no man — apart from the objection that applied to such property being managed by a Government — could contend that that was the best, the most profitable, mode of employing the land of this densely peopled country. But, in fact, the Government declined to bring forward any such proposal as this, simply because they were unwilling to take any step in advance for which they could not shelter themselves under a precedent. He did not know that he should have entered upon the question of Crown and Forest Lands, but that he had observed that not only the Chancellor of the Exchequer, but Members generally on the other side of the House, when any Member brought forward an accusation against the present fiscal system, exclaimed, "Very true, this may be a very defective measure, but why don't you propose a better?" The hon. Baronet the Chancellor of the Exchequer had used the same argument when the window-tax was under discussion the other night. He said—admitting that it was a most dreadful and unequal tax; that whilst the poor were made to pay by it 30, 20, and 15 per cent, the rich contributed only at the rate of 2 or 3—"Show us a substitute for it." Now he (Mr. Mowatt) protested against that mode of dealing with these questions; but still, as the Government thought fit to adopt it, he replied by showing them that there were other and less objectionable means by which they might have proposed to raise the necessary revenue. They might, as he had demonstrated, have made up at any rate the present deficiency, by extending the probate and legacy duties,—as in common justice they were bound to do—on land, by the sale of Crown lands, and by similar resources. Such a proposition, too, would have had this advantageous effect; it would have shown the people, that the Government, whatever it called itself—whether Whig, Tory, or Liberal—was really desirous of taking into consideration the deplorable condition of the country, and of relieving it. The country, as was well known—though it appeared to be requisite to remind the House again and again of it, was almost in a state of paralysis, the result of the late crisis. There was no doubt at all about it. Oh! he (Mr. Mowatt), for one, had no hesitation in saying, that he attached no importance whatever to the argument insinuated by the ironical cheers from hon. Gentlemen opposite, who wished them to believe, that the present state of the country could be traced to free trade. To free trade in prospect, then, it must be, for they had had no free trade as yet. Why, he believed he was right in stating that that very day, while a vast portion of the people were almost without a meal, the duty on corn was seven shillings a quarter. So much for free trade. He (Mr. Mowatt) believed, however, that if an earthquake were to happen in this country, hon. Gentlemen opposite would, in their prejudice, exclaim—"Good God! look at the consequences of free trade." But he would dismiss that part of the question, for he did not think such arguments merited a moment's reply. He wished, however, to refer to the accusation—the taunt—of the hon. Member for Buckingham, Mr. Disraeli, who had asserted that the Liberals wished to eject one set of class legislators, merely that they might take their places, and so legislate as exclusively for their own advantage, for their own class, as those who had preceded them, and whom they wished to eject. He denied that the Liberal Members wished to take the place of others as legislators for their own benefit, to legislate for themselves as a class, or that they wanted to lay the taxes, as asserted, altogether upon the other portion of the community. No! the Liberal Members of that House wished to distribute the burden, which must be imposed upon the country, equally over all classes, according to their means, and to take care that it did not press, as it had hitherto done, upon the labour, industry, and producing classes of the country. That was what the Liberal Members wanted. He (Mr. Mowatt) did not wish to screen the manufacturing portion of the country from the income-tax. All he wanted was, that due regard should be had to the permanence of the income, and the durability of the source whence it came. But he had not altogether done with the Government yet. He would confess that, for his part, he felt—for the utter want of ordinary capacity which they had manifested, and their financial policy—ashamed to be considered as connected with men who had therein so greatly belied the expectations of the country. In its present awful condition, they came forward and said, with the greatest unconcern, "We are about to add three millions and a half to the already extravagant expenditure." Who could justify such a proposal? They themselves had not. They had scarcely made the attempt. What had they further said? Why, that, "It is quite true we require for the Army, Navy, and Ordnance, an additional 3,250,000*l.*, in order to cover our past expenditure in these branches, although we have already carried that expenditure to nearly 18,000,000*l.*" But they did not stop here. They did not say, "We shall be satisfied with this enormous outlay for military purposes. We do not intend," say they, "to retrench, to retrace our steps;" on the contrary, they expressly told the House, that they could not retrench. Nay, despite the alarming state of the country, they had actually come down with a proposal to augment the enormous expenditure on military armaments, to the extent of 600,000*l.* more, during the ensuing year. If they had satisfied themselves simply with the outlay that had been going on, great as that had been, he (Mr. Mowatt) should have said less about it; for certainly they had been goaded on to this enormous military expenditure by all parties in and out of doors, and had great excuses for their conduct on this point. They had been threatened on all sides; many pointing out the dreadful responsibility that would attach to them, in case this country were not fully prepared for any hazard to which it might be exposed from abroad. He made great allowance for the Government on this head. He thought that they had been driven in a great measure by public clamour to increased expenditure on the score of the defences of the country. But making all due allowance for them on this point, he could not the more release them from the duty which attached to them of another kind, viz., that of bringing forward a proposition to distribute this, the income-tax, more equally over the various portions of society, and at the same time that of promising that for the future they would retrench as much as possible. Much had been said not only that night, but on a former occasion as well, with reference to the cost of the colonies. The Members of the Government had contended, that it not being the revenue which had fallen off, but the great and unexpected expenditure of past years, the last particularly, that had rendered additional taxation necessary, and therefore that they were altogether blameless in the matter—that the events which had occurred had been altogether beyond their control. He (Mr. Mowatt) could not view the matter in a light so favourable to them. He thought, for instance, that with respect to the charge in the estimates of 1,300,000*l.* for what had taken place in the Cape of Good Hope, and the probability that they would be subjected to a claim for another million from the same quarter, was not a question of such indifference as the Government wished to represent it. The Government, in laying its budget before them, had stuck in that item in the Bill, just as if it had been for whitewashing the Treasury. They said, the case had been one entirely beyond their control; besides it was, in their eyes, a very trifling matter. Why, at that rate, what security had they for the limits of the expenditure of the ensuing or of any future year, they considering themselves wholly irresponsible? He considered that the Government had entirely failed this year in the whole of their financial policy; and that, besides, they had shown a want of moral courage in not proposing to extend the probate and legacy duties to landed property; and he should, therefore, have no sympathy with them, whatever might be the consequence of the vote of that night. If they had felt themselves in a dilemma, they should have gone to the right hon. Baronet the Member for Tamworth, and have asked him to help them—to tell them what sort of a scheme they ought to bring forward. They should have told him that the credit of the nation was in danger, that they could find no remedy for the evil, and have implored him to assist them. Or they might have adopted the old Dutch plan. They (the Dutch), in 1624—as all the world knew—were engaged in a struggle for life or death with Spain, and the house of Austria; and because of their prodigious expenditure, and the extent to which, in consequence, they had carried taxation, were in danger of being brought to a stand-still for want of money, to meet the expenses of the war—when, not knowing what to do, they offered by public proclamation a high reward to any one who should find out a new tax, that would be productive, and yet not unpopular. This expedient answered. Such a tax was found, viz., the stamp-tax, under which this country has so long rejoiced; and why could not our Government follow some such plan, as they admitted themselves to be in much the same sort of dilemma? Now, for one word with respect to the question more immediately before them. His hon. Friend the Member for Montrose had warned them again that night not to be discursive, not to ramble from, but to keep to the subject. But simple as the question might appear to be, as actually put from the Chair, it yet was not so in fact—and it was because

Members felt that it was not really a simple question—because they felt that it not only involved the amount of taxation of this country, but also the form and mode in which that taxation should be carried out, that they found it impossible to confine themselves to the abstract proposition before the House. They required strong reasons to justify the vote which would probably be recorded that night. With reference to the mode of taxation, he (Mr. Mowatt) entertained great respect — he might use the strong language of the hon. Member for Westbury, and say gratitude—for the right hon. Member for Tamworth, for having relieved the trade, the commerce, the labour and industry of this country from the pressure of indirect taxation to the extent of 7,000,000*l.*, by substituting instead the income-tax — for his having made one step in the right direction—that of establishing a system of direct instead of indirect taxation. He respected him for that; and it was because he (Mr. (Mowatt) was an advocate for direct taxation that he intended to vote against the Government on this question; and he would explain why he would do so. The old system of indirect taxation pressed heavily and injuriously on the mass of the people, although they did not always perceive it. A great many of the working people did not, for instance, see that in buying a pound of tea, they actually paid an income-tax of at least a hundred per cent, or ten shillings out of every pound sterling, so expended, instead of as many pence, which, however, was more than the owners of realised property had to pay, under this direct tax. In direct taxation, they, the people, saw when it was unequal and unjust; it could not be hid from them, and therefore if the Government were determined to have a system of direct taxation, they must first reconcile the people's minds to it, by removing its present gross inequalities, its injustice, or by showing at least that they were anxious, and had made the attempt, to do so: unless they did that, they could go no further. He did not believe that it was the amount of the income-tax that had raised such a hostile feeling against it throughout all parts of the kingdom; it was its inequality, its unfairness, its injustice, that had roused the country against it. He, for one, should have no objection to the income-tax being raised to 10 per cent, provided it were only assessed equally, and always supposing that additional taxation were absolutely necessary. Hon. Members on both sides of the House had said, that they viewed with apprehension and alarm the extension of this system of taxation; and it had been said, that the necessity under which they had recently been placed of abandoning the proposed increase to this particular tax, ought to be a warning to all Governments not to rely upon such a system. He denied that such a conclusion was at all a just one. Why, there was no other State in Europe that had not levied more by direct taxation than we had; and what was to prevent us from following their example? At this very moment, even with this income-tax, we only raised 25 per cent by direct taxation, the remaining 75 being the produce of indirect taxation. The income-tax, it was true, was objected to also because of its inquisitorial character; and that, no doubt, was a serious objection; but yet he really believed that if the Government sincerely endeavoured to make it equal and fair, they would accede to it without further opposition. He thought, however, that no true friend to direct taxation would vote for the continuance of this impost in its present shape; and if they granted it for three years longer at once, what hope was there that the Government would retrace their steps—would then apply themselves to the task of removing the objections to it? They had not done so in times gone by, and that was sufficient proof that they would not do so hereafter. Indeed, they held out no expectation that they would even attempt it. The right hon. Gentleman the President of the Board of Trade had made quite an *ad misericordiam* appeal to the House. He had implored them to consider what consequences might follow if they rejected this proposition—that such an act might damage the credit of the country. He had attempted to show this, or at least they might gather from his vague and mysterious language that he, at all events, fancied that if the Ministers were not supported on this question, the country might be placed in a most perilous condition. And yet in the midst of all this foreboding, the Government refused to make any promise to try and equalise this most iniquitous tax. Now, having given his opinion of the advantages this country had reaped from the measures introduced by the right hon. Baronet the Member for Tamworth, he might be allowed to add, that he did not think that the declaration made by him the other night, was of a character that would tend to right him in the opinions of his countrymen at large, from whose estimation he had lately so much fallen. He thought that the arguments that he had used were such as could hardly have been expected from him. He would confess that he was struck with regret and astonishment when he heard the style of reasoning the hon. Baronet had condescended to employ. He had contended, that because the system of indirect taxation previously in force had been applied to all classes indiscriminately, therefore that there was no hardship in the new, the income-tax being levied with equal unfairness and injustice. What, were they never to take a step in advance? Were they always to rest satisfied with the plea, "Oh, it's no worse than the old system?" He hoped the House would that night do itself the credit with the country of stemming this wayward and retrograde movement on the part of the Government. If they were beaten, he thought that the effects to the country would be most beneficial. The Government would then have to reconsider the whole system of taxation; and if they persisted in refusing to make this tax more equal, they would be then driven to the only other alternative, that of reducing their expenditure so as to meet the income without it. Let the House, therefore, have no fear in recording their votes against the Government on this question. They need apprehend no difficulty therefrom. On the other hand, should they support them in this proposition, they need not, they could not, hope for any reduction from their monstrous expenditure.

MR. HUDSON would endeavour to confine the observations he had to make within the narrowest possible limits, for he sincerely hoped the House would come to a division to-night. The hon. Gentleman who had just sat down spoke very strongly against the inequalities of the income-tax, but failed to point out any instance in which those inequalities existed. Others had endeavoured to point out inequalities; but the hon. Member for Falmouth contented himself with vituperating the tax. It was easy to make bold and daring assertions, but to substantiate those assertions was quite another matter. The hon. Gentleman complained that the landed interest did not bear an equal share of the public burdens; but it was quite notorious that a landed proprietor could not sell, transfer, or lease any part of his property without paying a considerable sum to the revenue; while transfers of large sums of money in the funds were not liable to such payments. With respect to the question immediately under the consideration of the Committee, he confessed he could not vote with Her Majesty's Government. He regretted it exceedingly; but for very different reasons than had been stated by some of the supporters of the hon. Member for Montrose. It was because the measures proposed by the Government were not adequate to the exigency of the occasion that he could not give them his support. Had they come down and proposed taxes equal to the expenditure—if otherwise unobjectionable—he would have supported them; but that not being the case, he was driven to support the income-tax for one year only in order to force upon them the revision of their measures so as to equalise the revenue and expenditure. It would be for the House to decide whether they should resort to direct taxation or Customs duties. As this discussion had taken the complexion of a free-trade debate, he must be allowed to say, that they were much more indebted to Divine Providence for good harvests than to any legislation which had taken place. Indeed, if there had been no legislation at all with reference to corn, he believed the country would have been in a better condition. In speaking on the subject of deficient harvests, the hon. Member for Westbury (Mr. Wilson) had omitted to notice the important fact, that on the last occasion when the harvest was deficient there was bullion to the amount of 16,000,000*l.* in the Bank of England, whilst on a previous one the amount was only 10,000,000*l.* That was a fact which ought in fairness to have been stated. The House had proceeded on a wrong principle, when in a time of prosperity they reduced so much taxation. It would have been far better to have kept the Exchequer full, and paid off a large amount of debt—they would have been in a much better position. He hoped future Chancellors of the Exchequer would take warning; and if it pleased God that we should again have a large surplus, it should be applied to the reduction of debt, so that when the time of difficulty again arrived they might have a surplus to fall back upon. His noble Friend the Member for Lynn brought forward a budget of his own, which had been severely handled by several hon. Gentlemen. It was a most remarkable fact that now they had come to a duty of 7*s.* per quarter on corn, and yet there was no increase whatever in the price. But it was still more important to observe that there had been a fall in the price of corn on the Continent pretty nearly commensurate with the duty imposed on it in this country. He thought that was a clear proof that it was frequently the foreigner, not the consumer, who paid our taxes. A great deal had been said about the timber duties. He admitted that it was desirable in itself to get rid of all duties; but as this could not be done, the question arose which tax it would be wise to remove or reduce, and which to retain. He had been engaged in conversation the other day with a most eminent timber merchant, and this gentleman told him that there never was a tax the reduction of which had conferred so little benefit on the people. He said, that if he built a house of the value of 10,000*l.*, the whole saving to him in timber was only about 200*l.* It would have been much better to have retained the old duties than to have remitted any portion in favour of the foreigner. It would have been much better to have taken off the duty on bricks. No doubt, as the right hon. Gentleman the Member for the University of Oxford stated, there had been an increased consumption of timber; but that might be accounted for by its extensive use in the construction of railways, and he did not care if they had paid a little more for it. He could not look to any immediate reduction of expenditure as a means of equalising the income of the country. Before they effected any reductions they must discharge a deficit of 3,000,000*l.* Therefore, they must either go back to the old system of taxation, or agree to a larger income-tax. He did not think a small tax on cotton would be injurious to the manufacturers, especially as this country possessed manufacturing advantages superior to those enjoyed by any other. The manufacturers had often boasted that they could buy the whole of the land; and he could not see anything preposterous in the idea of taxing them at the present time. For his own part, he was formerly rather in favour of direct taxation; but he must say, that his faith in it had been very much weakened by the course lately pursued. He should like to see the income-tax increased, and the window-tax and the assessed taxes abolished. He believed that nothing would tend so much to lighten the springs of industry as the removal of the taxes which he had mentioned. He would not take a gloomy view of the position of the country. There was an elasticity about it which would enable it to surmount every difficulty. But, then, the country could never recover unless they determined to place its finances in a sound state. The right hon. Gentleman the Member for the University of Oxford, appealing to hon. Gentlemen on that (the Opposition) side of the House, had said, "Why, you above all men have always been anxious to support the credit of the country." No person could be more desirous of doing that than he was; but he thought the Government were taking a wrong course, and that it would have been much better for them, as they could not carry the additional 2 per cent, to have reimposed some duty that had been taken off to meet the requirements of free trade, and thus have raised the revenue to the proper point. He hoped that at an early period of the next Session the Government would take a review of the whole taxation of the country. By consenting to the appointment of a Committee, they had admitted that such a review was necessary; and he trusted that the finances of the country would be placed in a situation which would remove all doubt as to its stability and its power to meet all its engagements.

Mr. COBDEN: In the very few remarks I shall address to the Committee, I can promise this at least, that I shall confine myself to the question before me. If anybody in this House can be thought to have a motive for entering on the field of free trade and protection, it is the humble individual before you; for it is precisely the subject on which I feel myself most at home, from considerable practice in dealing with it. But I say, once for all, that whatever repetition there may be in this House of the purposeless ravings which we hear with regard to free trade, I promise you that I will never enter on the discussion of the question till hon. Gentlemen opposite put those purposeless ravings into a tangible form by producing some measure for the re-enacting of their own views. We have so many motives alleged for the votes to be given to-night, that I wish distinctly to explain what are the reasons for which I intend to support the Motion of the hon. Member for Montrose. Certainly it is not for the reason assigned by the hon. Gentleman who has just sat down; for, of all the extraordinary statements, that which he made was one of the most extraordinary, coming from an hon. Gentleman who takes so wide a view of financial matters. He says the Chancellor of the Exchequer ought to have come forward with a 5 per cent income-tax to meet the deficit, instead of asking only 5,000,000*l.* when 8,500,000*l.* were wanted, because that was the only way in which you could put the finances of the country on a sound basis; yet when it was asked, he would not allow the right hon. Gentleman to have even 3 per cent. Nor need I say that I have no such objections as have been stated by other hon. Gentlemen opposite who are Protectionists. I do not intend that we should abolish this tax, and revert to indirect taxation. Nor do I entertain the view most unjustly attributed to the hon. Member for Montrose. Some speakers on this side of the House have supposed that he wishes the tax laid on only for a year, that at the end of the year he may have a surplus to enable him to dispense with the income-tax altogether. The hon. Member for Montrose is sometimes a little liable to misapprehension. But if you can get a surplus, and put the income-tax on a fair footing, that is just the last tax he would dispense with. If you will only establish a fair system under which the income-tax may be levied, he is willing to give you 10 per cent to enable you to reduce other taxes. I have a strong conviction that you must not only maintain the income-tax to obtain such an amount of direct taxation from income, but that you will find it necessary, either by reduced expenditure or by increased taxation, somehow or other raised, to obtain surplus funds, which may enable you still further to diminish your indirect taxation; to give facilities to free importations for the consumption of the country, so that the wants of the growing population may be met by increased supplies of the produce of foreign countries; and, in order to gain that end, you must make up your minds to a constant diminution of the duties on those articles. And this you must do, not only for the sake of trade, but in justice to the mass of the population, that they may be put on as equitable a footing as the people of any other country in Europe. For it has been truly said, that there is no country in Europe where so much is paid as on the articles consumed in this country. The noble Lord the Member for King's Lynn (Lord G. Bentinck) has spoken as if the question lay between direct and indirect taxation. He forgets that we derive a larger amount of revenue from Customs than any other country in Europe. You receive 20,000,000*l.* of Customs annually; and we are now speaking of 5,500,000*l.* of an income-tax! I have formed an estimate of what the working classes pay upon the articles they consume. We are quarrelling about an income-tax of 7*d.* a pound. What amount do the people pay on articles consumed? For every 20*s.* the working classes expend on tea, they pay 10*s.* of duty; for every 20*s.* they expend on sugar, they pay 6*s.* of duty; for every 20*s.* they expend on coffee, they pay 8*s.* of duty; on soap, 5*s.*; on beer, 4*s.*; on tobacco, 16*s.*; on spirits, 14*s.* of duty, on every 20*s.* they expend upon these articles. When you bear in mind that the working classes expend much more on those articles than people of our class, you cannot but see that this amounts to an income-tax, not of 7*d.* per pound, but sometimes of 12*s.*, 15*s.*, or 16*s.* per pound; while men of some thousands a year expend a large portion of their incomes in buying furniture, horses, carriages, books, and other things which pay comparatively little tax. And hence it is that in this country, where we derive so much revenue from articles which enter largely into the consumption of the working classes, you find, when trade is bad in Lancashire or throughout the country, the Chancellor of the Exchequer reminding you that the state of the revenue has been affected by the state of trade. Both for the sake of trade, then, and in justice to the people, you must diminish your expenditure, or increase the amount of your direct taxation. It is because I wish to preserve direct taxation that I support the hon. Member for Montrose. I wish to make this a just tax, in order to make it a permanent tax. Can you make it more just? That is the question among my friends, particularly of the free-trade school. But that question has been very much mystified by taking exceptional cases instead of taking classes. Between those whose incomes are derived from realised property and those whose incomes depend on trades and professions, there is a tangible, visible, marked line of demarcation. As between those two classes, then, does any injustice exist? Can it be diminished? The hon. Member for Sunderland (Mr. Hudson) observed that the hon. Gentleman beside me (Mr. Horsman) did not mention a case to prove any injustice. First, there is some mystification of the matter as regards the necessity of making the tax permanent in order to make it just; nay, if it only goes on long enough, its injustice will be removed. Take the case of a professional man, a surgeon, a lawyer, or a literary man—men who get their bread by daily or nightly toil, literally by the waste of their brains. I take the case of such a man; he has 500*l.* a year; he lives for thirty years in business; he dies. He has received 15,000*l.* of property. Take in competition with him a man who derives 500*l.* a year from an estate worth 12,000*l.*; he lives thirty years also; but his property amounts to 27,000*l.* If there be truth in the maxim of Adam Smith, that every man ought to pay according to his ability, ought these men to pay the same? Ought the man whose income depends upon his own exertions, and who may be laid on a bed of sickness, to pay the same as the man who is living at Bath, Cheltenham, or Brighton in luxury, on the produce of his property, which suffers no depreciation in the event of his sickness? I take another case, that of a man in business, who has 10,000*l.* of capital. He gets 500*l.* a year for the interest of his capital, and 5 per cent more as the produce of his skill and industry. Is that man, getting 1,000*l.* by the application of his talents, to pay the same as the man who derives 1,000*l.* a-year from real property, worth 25,000*l.*? You cannot mystify the matter. The plain fair dealing of the country will not suffer such inequality as exists in your mode of levying a tax. We now come to the question raised by the hon. Member who was sent here by the merchants, shopkeepers, and coalowners of Newcastle, not to deal as he chose to do with the question, but with reference to the interests of his constituency. No. He talks of men who hold property under entail, and who have a terminable annuity. The question, as regards those cases, is worthy of consideration; but they are exceptional cases. I tell the hon. Member that his constituents, the active, industrious, and energetic men of business and professional men of Newcastle, stand in a very different position from those individual cases to which he referred. It is the energy and activity of professional men which gives vitality to the dormant wealth possessed by those classes who live upon the income derived from accumulated capital. Professional men, and men of business, and the labourers whom they employ, are the classes which have the first claim upon the sympathy and justice of the State. The industrious classes put in motion the wheels of the social system, and upon their activity and enterprise all the value of realised property depends. What objection can be raised to the equitable adjustment of this tax I know not. Every leading man in the House has admitted its injustice. Then has the Government taken any means to remedy it—has it shown any disposition to remedy it? The people of this country are easily conciliated, and more especially the class on whom this tax directly falls. They are not unreasonable, and they would have been easily conciliated had you shown the slightest disposition to remedy the unequal pressure of the impost. Why did you not appoint a Committee on the subject? Why not appoint one now? Appoint a Committee, and let there be upon it—what there is not in the Cabinet —an equal proportion of merchants, manufacturers, professional men, and landed proprietors, or other possessors of realised property, and I engage that in less time than you would take to fix the tariff of a railway company, to determine whether coal shall pay a penny a ton, lime threehalfpence, and corn twopence, they will find a mode of adjusting the tax upon equitable principles. But no attempt of that kind has been made, and no promise is held out that such an attempt will be made. It is the dry, pedantic adhesion to the letter of the law which has roused the indignation of the country. If a distinction were made between permanent and precarious incomes—if a gradation of duty were established—I undertake to say that you would have no remonstrances from the great manufacturing seats in the north. It is not a little singular that we, who wish to make the tax just in order that it may be permanent, are charged with endangering the system of direct taxation. I was astonished to hear the tone which the hon. Member for Westbury adopted in his speech on Friday night. I warn him, in perfect good nature, as he is a younger Member of this assembly than I am, of the danger of attempting to pat on the back every great party in the House; and then, by way of counterpoise, bestowing reproof upon others. I know that the hon. Member for Westbury, by his speech, converted one Member of this House to an opinion of the injustice of the tax. No one exposed the injustice of the tax more powerfully than the hon. Member. He expressed his belief that the finances of the country would be permanently endangered if the tax should be continued in its present form; and then he turned round and accused us, who wish to remedy its injustice, of attempting to imperil our financial system. After displaying much ability at the commencement of his speech, the hon. Member towards its close said, that he would vote against the Motion of the hon. Member for Montrose, but would vote in Committee for the modification of the tax; forgetting that the decision of the House had already been taken upon that point. We have already had a debate and a division upon the question whether any modification should take place in the tax. The hon. Member forgot to vote upon that occasion with the hon. Member for Cockermouth; but when I tell him that there was a majority of 175 against the modification of the tax, and that the noble Lord at the head of the Government, the Chancellor of the Exchequer, the right hon. Baronet the Member for Tamworth, and the late Chancellor of the Exchequer, both spoke and voted against modification, I think the hon. Member, after his fierce denunciation of the injustice of the impost, will feel bound to walk into the same lobby with us for the purpose of limiting the injustice to twelve months instead of three years. The hon. Member, with great *naïveté*, said, that he had heard no complaints about the inquisitorial character of the tax; but it should be remembered that it is just one of those subjects about which persons do not like to complain except to their wives or children. With equal simplicity the hon. Member observed that the reason why any cavil—that was the word—had proceeded from the great manufacturing and commercial centres, was on account of the inequality of the tax. Talk of the inequality of a tax being the only ground for cavilling against it! Why, that is the whole question. Nobody has a right to complain of any tax which operates equally, provided it be required by the necessities of the State. When a Government deals unjustly by the people with respect to taxation, that constitutes the whole matter of account between them. That has been the ground of almost all the revolutions in this country. The hon. Member, towards the end of his speech, after complimenting first one side of the House and then another, seemed altogether to have lost his reckoning; and that is the only way in which I can account for his accusing us of being about to endanger the revenue. What is the question we are called upon to decide? Whether a certain amount of taxation shall be given to the Government for twelve months, from the 5th of April next, or for three years? Should the decision of the House be in favour of the former proposition, there will be no defalcation of revenue. Parliament will meet in February next, as it did last month, and it will be competent to the House to renew the tax in its present form if it should think proper to do so; but I believe that long before the end of twelve months the Government, if a majority declare against them to-night, would find means to make the tax acceptable to the whole community. I will say on behalf of the manufacturing and commercial community, and particularly of that intelligent portion which advocates direct taxation and free trade, that if ever any loss should befall the public creditor, it will not be through their instrumentality. They would pawn their last coats before they would allow any defalcation of the revenue to occur. But I say—Cut down the expenses. I hope that we shall live to see the pruning-knife applied to the State expenditure, and that the time will come when the affairs of the State will be carried on with something of the prudence and economy which are exercised in manufacturing and commercial pursuits. But the public creditor must be paid. The last thing we in the manufacturing districts would desire is a national bankruptcy, and if for no other motive, because, as the hon. Member for Westbury observed, no class of the community would suffer so much from it. Since something has been said on the subject in the course of this discussion, I will, before concluding, make the slightest possible allusion to what has occurred in a neighbouring country. I draw from that event very different conclusions from those which are generally received. I perceive in the events which have occurred in France reasons why the Government of this country should not depend on a numerical majority of this House, but should endeavour by every means to make themselves acquainted with the sentiments of the people. Take the division upon the Motion of the hon. Member for Cockermouth. I ask the Government to analyse the division list upon that occasion, and to see whether public opinion was not in the lobby with us who were in the minority? Ay, and it will be so to-night again. Do not depend upon your whippers-in and the votes of a chance-medley majority. Take warning from what has happened elsewhere. Bear in mind that the danger which menaces this country is not from abroad—it is not from the want of fortifications and armaments, on which you are expending such vast sums: the danger is not from without, but within. I apprehend no disturbance here. We shall have no tumults in this country similar to those which have occurred in a neighbouring State. There would be no excuse, no justification, for them. There is no necessity for tumults here, because the people enjoy all the rights and privileges of free discussion and of public meetings, the want of which caused the revolution in France. The danger to be feared in this country arises from the state of this House —from the circumstance of a large number of its Members being elected by a faction, in consequence of which their views are not in accordance with the prevailing feeling and public opinion out of doors. The danger arises from this House not basing its legislation on those strict rules of justice and fair dealing which alone can secure the institutions of this or any other country.

Lord J. RUSSELL: If it were necessary for me only to allude to those topics which would come properly under discussion arising out of the proposition of the hon. Member for Montrose, I should not be called upon to detain the Committee for more than a few minutes; but I have heard, to my astonishment, I confess, the strangest and the most opposite reasons given for supporting the hon. Member's proposition. Did I not know that the hon. Member for Montrose always frames his propositions with the fairest intentions towards his opponents and towards the House generally, I could suppose that he was, on this occasion, acting the part of a skilful tactician. If the hon. Member had submitted a Motion, pledging the House to the most rigid economy, and proposing to cut down the estimates, he knows well that he would have had only about the same number of Members to support him as voted recently in a division which has been more than once referred to. If the noble Lord the Member for King's Lynn had proposed a resolution, declaring that it was not desirable to continue the income-tax, but that it was expedient to resort to indirect taxation, and, more especially, to lay a tax on imported corn, I am persuaded he also would have found himself in a minority. But when the hon. Member for Montrose brings forward a proposition which contains no sort of principle—which is mere embarrassment—a mere declaration of distrust and want of confidence, generally, in those who carry on the business of the country—Gentlemen with the most opposite views, with purposes the most contrary, agree to support it, and unite their forces to form what the hon. Member for the West Riding of Yorkshire called a "motley minority" in the lobby. It would be very amusing when those Gentlemen meet in the lobby to hear the conversation which is likely to take place between them as to the motives which have led them there. We may imagine that one of them will say to his neighbour, "I am happy to see you here, Sir, and to find that you are for making a great reduction in the estimates." "I, Sir," the person addressed will reply; "I beg to inform you that I would rather increase than reduce them by a single farthing." Another Gentleman would say to a friend, "I am glad to find that you are at length convinced of the necessity of putting an end to the system of free trade, and reverting to the taxes upon corn and cotton." The friend, with a look of horror, will exclaim, "Why, I am here to promote the principle of free trade, and I vote for Mr. Hume's Motion because it implies free trade." Again I say, that if the hon. Member for Montrose's straightforward character were not so well known, his Motion might be looked upon as an uncandid bait for tempting Gentlemen of the most opposite principles to concur in the same vote. Let me further remark upon the strange motives which influence hon. Members in the support which they give to the Motion before the Committee. The hon. Member for Sunderland said he was most anxious to support the credit of the country; he complained that the ways and means were insufficient, and therefore he said he would vote the ways and means for only one year. The hon. Member who last addressed the Committee gave a still more extraordinary reason for his vote. The hon. Member said that he wished to substitute direct for indirect taxation; that he was willing to increase the income-tax to 10 per cent; and that, therefore, he would vote to continue the income-tax for only one year. He certainly did beat my hon. Friend in the strangeness and extravagance of his reasons. The question in itself is, I think, a very simple one. The last time the income-tax was proposed by the late Government, there was a reduction of taxation in that and the following year to upwards of 4,000,000*l*., and at the same time a considerable addition was made to the estimates, especially of the Navy. I will not say what kind of taxation was reduced, because I wish to touch as little as possible upon the question of free trade, which has, in fact, been exhausted by hon. Members on both sides of the House; but when it is said so loudly out of doors, " We understood Parliament to pledge itself that the income-tax should last only three years," it never could be supposed that that was the intention of Parliament whatever the condition of the country might be; it could not be supposed that if the country were not in a flourishing condition at the end of the three years we should leave the revenue in a deficiency, or go back to those taxes that were abolished in 1845 or 1846. No men of sense could have that understanding of the question; and if they had not, what have been the circumstances which make it necessary to ask for a renewal of the income-tax at this time? Circumstances, I am sorry to say, supply me with enough in favour of that course. In 1846 there was a considerable deficiency of food. In 1847 there was an entire want of the food of, I may say, 5,000,000 of our people. We have had 9,000,000 quarters of grain and 8,000,000 cwt. of flour introduced into this country, and we have had some 30,000,000*l*. sterling to pay for it. We have had two commercial panics in the course of one year; the course of trade was stopped; there was great mercantile distress; there were great failures in some of the houses that were supposed to be the strongest in the country. Any man would infer, from the mere enumeration of such events as those, that the revenue could hardly be in a flourishing condition, and if it kept up nearly to what it had been, it is as much as could possibly be expected, and no man could think that in the course of three years 5,000,000*l*. could be replaced by the increased prosperity of the country when circumstances of this kind occurred over which neither the Government nor Parliament could have any control. Then it appears to me that there are circumstances sufficient to induce Parliament to consent to the renewal of this tax, and to the renewal of it for the period for which it was granted at other times. But then, says the hon. Member for the West Riding—which, by the by, I thought, after the long discussion we had, was disposed of on the former occasion—" if this tax had but been made more equal, the House and the country would willingly have consented to it." I have no wish to renew that discussion; but it appears to me that those who argue for rendering the tax more equal than it is now—and I, with others, must admit, as I always have done, its inequality —put themselves in this dilemma:—They take either a particular schedule of trades or professions, or a schedule of particular kinds of occupation, but they leave many cases of hardship and injustice more glaring than those they remedy; or, if they do not take that course, and attempt to go further, then they must go almost into the individual cases which were alluded to with so much force by the hon. and learned Member for Newcastle; such as rent-charges for life, leaseholds, money in the funds settled upon distant relations, and every species—all kinds—of property, tenure, and provision; but, in a country where the transactions of society are so complicated and intricate, if you attempt to do that, you will not only find yourself engaged in a task of inextricable difficulty, but the tax will be far more inquisitorial than it has ever yet been; and thus, in the end, you will find that you have made the tax only half as productive, whilst you have rendered it twice as vexatious. This seems to be a dilemma in which they place themselves who wish to make the tax more equal; and I am by no means satisfied by the hon. Member for the West Riding saying, that the classes in trade or professions comprehend all the real energy and activity of the country, and that therefore they ought to have this advantage. It does not appear to me that you ought to judge according to the merits of those different classes, or that you ought to say that a country gentleman, who has his whole property for life, is not to be treated fairly because he is not a person of so much merit as a professional man or a person engaged in trade. I must protest, and I for one agree—and perhaps it is the only part of his speech in which I do agree—with the hon. Member for Buckinghamshire, that we must not allow any class to be run down because they are the possessors of land. The only fair line you can take is to treat all classes justly. Whether they have land, or whether they are engaged in trades or professions, or whether they have money in the funds, assess your tax as justly as you possibly can, and never mind any question as to the merits of those who are engaged in trade or professions beyond those who are to be run down because they are the possessors of land. But the hon. Gentleman says, it would have been some consolation if we had attempted to make this distinction. Why, Sir, I said on a former evening that my right hon. Friend and myself had attempted to draw some line by which we could make the tax, according to the sense of this House, appear more just; but we could find no line which would not have been immediately attacked and invaded, and which would not have obliged us to leave other cases of still greater hardship. Of course, having come to that conclusion, we should have been deserting our duty to this House had we taken a different course. We stated our conviction to the House, and the hon. Gentleman cannot say that we have not made every attempt to render the tax more fair. But, passing over this, I find the noble Lord the Member for King's Lynn takes one of the two main grounds upon which the vote to-night is to be taken in favour of the hon. Gentleman's Motion; and he decides that it is better to leave this plan of direct taxation, and to resort to indirect taxation. In the first place, I do not see, if that is to be the case, why the noble Lord is to take up with the proposition of continuing this tax for one year. If it be right to impose those indirect taxes which the right hon. Gentleman the Member for Tamworth took off, let us adopt that course. Let us have the 5,000,000*l.* of indirect taxation which the noble Lord speaks of; and let the people have the consolation of getting rid of this tax, which they feel to be so burdensome. If there be any way by which this tax could be got rid of, that would be far more pleasing to the people of this country than the proposition to carry it on for another year. What I really hear at this moment is, that many classes of trades and manufactures are in a state of difficulty; and, therefore, any measure for their relief would be highly palatable to them. I think the noble Lord ought to propose the alternative immediately, instead of assenting to the course of my hon. Friend; but, let me ask the noble Lord, and those who usually act with him, whether they would think it wise to act upon his proposition? I was one who proposed in 1841 a fixed duty of 8*s.* on corn, and a differential duty of 12*s.* on sugar; and I have lived to see hon. Gentlemen who had the highest protection notions, and who objected to that proposition at that time, ask now for something less than an 8*s.* fixed duty; and even making that proposition in the House of Lords, and deputation after deputation asking for something less than a 12*s.* differential duty on sugar. But I will tell the noble Lord that what I should have considered as an advance in 1841, I should consider as a retrograde step now. But there is more in this question. Parliament has passed an Act with respect to corn, by which in February next, all the duty on corn will be reduced to a mere nominal duty. Would it be wise for Parliament at this time, in order to secure that amount, to impose a perpetual tax on the introduction of food? Would it be wise to enable those who brought in such an Act of Parliament to raise the price of bread? But that is a course Parliament cannot adopt with any consistency; it is one which the Act of Parliament does not prescribe; and there could be no hope that the people of this country would sympathise with them in the course of such legislation. I believe myself that a small fixed duty does not increase the price so much as the mere nominal amount of duty; and in that opinion I have the support of Mr. Jones Loyd and other eminent men. But I think, after the contest that has been going on upon this subject so long, it would be no less than madness to propose such a course, by which it might be said that Parliament had imposed a duty on corn, and enhanced the price of bread to the people of this country. The hon. Gentleman the Member for Somersetshire has taken, as I think, a fair and just view of this subject. The hon. Gentleman says that his opinions are unchanged; but that he thinks it but right that the system proposed by the right hon. Gentleman should have a fair trial. There may come a time—I do not myself believe that there ever will—when the opinions of the hon. Gentleman may find favour with the people of this country; that will be the proper time to revert to such a system; but I am sure that at the present moment not only the great majority of this House, but the great majority of the people of this country, would resist any attempt to impose a permanent duty on the introduction of corn. I come, then, to the alternative proposition, which is the proposition of the hon. Member for Montrose—that there should be a very large reduction in our estimates; and upon this subject I must, for a few moments, ask the attention of the House to the very extraordinary statements which have been made with regard to the proceedings of the present Government. My hon. Friend and the hon. Member for Southwark have stated, that putting together the surplus of the year ending January, 1846, and the deficiency of the year ending January, 1848, the present Government must have increased the estimates by about 6,000,000*l*. Why, nothing more extravagant was ever stated in this House. Falling as it did from the hon. Gentleman, who formerly made the subject of figures all his own, and from the hon. Baronet, who is in general very accurate upon such matters, I must say that such a statement exceedingly astonished me. I find that the amount, taking in all the estimates of the present year which have been increased, and agreed to or proposed by the present Government, on the Army, Navy, and Ordnance, amounts to about 1,200,000*l*. There is also the amount of certain miscellaneous estimates, of which I cannot tell the exact sum; but, taking this with the others, it would be little more than 1,500,000*l*. Can any one say, then, that we have increased the estimates 6,000,000*l*.? Then the hon. Baronet the Member for Southwark says—look at the average of the estimates of the late Government, and compare them with those of the present Government. Why, the average has really nothing to do with this. If we had proposed to take the average of the five years the right hon. Baronet was in office, we must have made reductions in our Army and other branches. I must say that I think the comparison of the hon. Baronet is most unfair. But the question is, is it possible to make such a reduction in these estimates, which my hon. Friend the Member for Montrose says are very extravagant, as to enable this House to dispense with the income-tax after the present year? To that question I must give a decided negative. What we proposed, as was very fairly stated by the hon. Member for Oxfordshire, was this:—Our original proposition was that, in order to cover the deficiency for the present year, we should have 5 per cent income-tax for two years. We have withdrawn that proposition in concurrence with, or in obedience to, the general sense of the country; but we think it necessary, for public credit, to ask for this tax for not less than three years, in order that the proceeds of 1849 and 1850 may enable us at the end of the three years to cover any deficiency that may arise. Looking at the question in that light, we can make no reduction so as to enable us to dispense with the tax for that period. We propose these estimates at a time when everything appears tranquil; but at the same time I observed to the House before, that, although every thing appears tranquil, I little believed in the force of political prophecy; and I adverted to a famous instance in the career of Mr. Pitt to prove that political prophecy, even when proceeding from the greatest men, may fail. And if we look back to that period, we shall find that not the masterly understanding of Mr. Pitt, or the acute and ingenious mind of Mr. Fox, or the philosophic observation of Mr. Burke, enabled any one of those great men to foresee what would be the issue of the extraordinary events which passed before their eyes between 1790 and 1791. That being the case, I would not at any time attempt to prophesy what might be the political events of any three years, or of any one year; but least of all would I do so at the present moment. A month or six weeks ago there were those who said the state of France was so critical, property was so divided there, that some time or another that country would frame itself into a republic. Other political observers predicted that when the reigning King of the French should die, some great change would take place in that monarchy. But I think no man alive expected that, within a few weeks, that monarchy, which appeared so firm, should at once vanish, and disappear like a mist, and that nothing should remain behind of what appeared so strong and powerful. But in all these circumstances I hope we are about to see peace confirmed. I hope we are about to see the nations of Europe, while still valuing even more than ever their own strength and independence, bind themselves in more friendly ties with one another. Still, at the same time, no man can venture to say what the times may bring forth; and, for one, I will not consent to disarm England —for one, I will not consent to reduce the Estimates for the Army and Navy in the present state of Europe. I say again, that I may not be misrepresented, as I think I have been before, that with every wish to see the peace of Europe and the peace of the world preserved, and seeing nothing immediately before us which is calculated to endanger that peace, it is but the part of wise and prudent men, while every thing is uncertain, not to affect security, and while there is darkness around, not to pretend that we are walking in broad daylight. For these reasons I can neither agree to the proposition of the noble Lord opposite, and consent to take the income-tax for one year, in order to resort to a permanent tax upon corn and raw cotton, nor agree to the proposition of the hon Member for Montrose, and consent to take the income-tax for one year, in order to prepare the way for a great reduction in the present amount of our naval and military force. Sir, various notions and speculations have been indulged in during the progress of this debate with regard to matters with which I will now deal but slightly. Some Gentlemen proposed that our colonies should be reduced in number, and some of them abandoned. I shall only now beg hon. Gentlemen not to make up their minds on that question without very serious consideration. I, for my own part, have always considered our colonies as a part of the strength of this empire. I may be mistaken in that view; but if they are part of the strength of this empire, then, I say, I am not the person who would be willing, by reason of any notions of economy and retrenchment, to reduce any part of that strength. If it be the choice of England to descend lower in the scale among nations—to say she has been too long powerful, that she wishes no longer to influence the destinies of the world, that she will be contented with a humbler part —then it is for this country to say so; it is for this country to carry those words into effect. Only let me not be the instrument—let me not, I say, be the instrument for carrying into effect that which I should think the degradation of the country, the fall of her pride, and the loss of her glory. It has also been said, and with far more reason, let the taxation of the country be revised. Sir, there could be no better task for a Government than to go through the various taxes, to endeavour to lessen the burden of those taxes, to endeavour to render them more equal and just. But that I should undertake this task in any set time—far less that I should undertake it in the course of one year—that my right hon. Friend should be ready with a plan for that purpose within that time—would certainly, as it appears to me, be very great presumption on our parts. With respect to stamps, for an example; let any hon. Gentleman go through the Stamp Act, and see the vast number of questions arising out of that branch of our taxation alone. I believe we might possibly frame in the course of a recess a measure in regard to stamps; but then I believe also that the whole of the Session following that recess must be devoted to that subject alone, such is its complexity and intricacy. At the same time I willingly allow that there are many faults, many inequalities in the system; and some of those faults and inequalities I hope to be able to remedy in the course of no very long time. But I again say, that to pledge the Government that they will have a plan ready cut and dried, by February next, affecting the whole system of taxation, would be rash and imprudent in a Minister. With regard, then, to this whole question, it appears to me that if this House should think fit to vote that they will have the income-tax for only one year instead of for three years—if, in the present state of our finances, after we have given up that two per cent which we thought, and still think, it would have been to the honour and advantage of this country to grant—if, after that, this House should think fit to vote the income-tax for only one year, and do so after the speeches that have been made, I do say, in spite of what has fallen from the hon. Member for Sunderland, and from the hon. Member for the West Riding of Yorkshire, that they are endangering the credit of this country. I could imagine, if there were a large party formed either for the purpose of restoring the system of protection—a party which had a majority in this House; here, among the representatives of the people—or, on the other hand, if there were a majority among the representatives of the people who were favourable to a very large reduction in our establishments—I should conceive, although I might think neither course wise, that such a course could be taken, and yet the public credit be preserved. But the hon. Member for Montrose tried the one question the other night, and hardly sixty Members voted for him; and if the noble Lord opposite were now to try the question of protection, he would, I suppose, have more than that number voting with him, but still he could not expect to have a majority of this House to support him in such a proposition. Why, then, you would be establishing no system whatsoever in place of the plan proposed by Her Majesty's Government; and you would be only substituting uncertainty and confusion in the room of our proposition. The hon. Member for the West Riding of Yorkshire says we should have a permanent income-tax; but the hon. Member for Cockermouth, in an able speech, made as good a proposition as I have heard on this subject, and yet he had only 141 with him, against 316 on the other side. Sir, in that state of things, if this House were to refuse to Her Majesty's Government that which they think necessary for the public credit of this country, it would be disgraceful to them if they any longer remained Ministers of the Crown. We must, so long as we carry on the public affairs, carry them on in such a manner that the public welfare shall be consulted; and it is quite evident, according to our opinion, not only that the public welfare would not be consulted, but that the public welfare would be deeply injured by such a vote. But the hon. Member for Sunderland and others have almost put their votes on this ground. They say the proposition may not be a wise one, but we feel no confidence in the Government, and see no reason to support them; therefore we shall vote for the Amendment. That may, in the opinion of those hon. Gentlemen, be just; but before I conclude I must state to the House what I think has been our position, and what have been the difficulties with which we have had to contend. They have been no artificial difficulties created by Ministers ignorant of the mode of conducting public affairs. No one can say that the total failure of the food of 5,000,000 of the people was a trifling calamity. The Government met that on the one hand by giving freedom to the importation of food—a measure which succeeded beyond all expectation, and introduced such an amount of food into the United Kingdom as had never before been known, and that at a time when the whole of Europe was suffering from famine. At the same time we acted in a manner which formed an exception to all general rule and principle, by providing for many months with food more than 3,000,000 of the population of a part of the empire. Although that proceeding was against rule, I think it was capable of defence; but I will not now detain the House by reasoning in its favour, because a Gentleman who was mainly instrumental in giving effect to that proceeding, has, in in a most clear and admirable manner, given all the details to the public. Lately, too, we have had another evil to contend against in the same part of the United Kingdom. We have had to contend against the practice of assassination—against murderous conspiracy raging through the country, and overbearing all law and all order. That evil has been met partly by a law of a stringent character, and partly by the administration of the law by the Lord Lieutenant. Under that administration your judges and juries have most admirably performed their duties—there has been no difficulty either in obtaining evidence or in securing convictions against the miscreants who were guilty of these foul crimes. So far, therefore, the Government have been successful in meeting a great evil. But, an hon. Gentleman has said to-night, and given it almost as a reason for voting in favour of the present proposition—that the Lord Lieutenant has been gagging the people, and not allowing the free expression of public opinion. I should have thought that if any man had looked at the Irish newspapers, he might have seen—so far from "gagging the people," so far from preventing the free expression of the public voice—that, I believe, treason was never openly professed with such audacity. But, Sir, if it shall please this House not to agree with the Motion of the hon. Gentleman (Mr. Hume) to-night; if the power is to remain in our hands; if my right hon. Friend near me, the Secretary of State for the Home Department, and the Lord Lieutenant of Ireland, are still to wield the powers of the law in Ireland; I trust that we shall be able to meet those expressions of sedition, those determinations to join any enemy, whoever he may be, that may be opposed to the Sovereign of these countries; that we shall be able to put down those conspiracies, and to maintain, for the welfare of the people of Ireland, that supremacy of law and order without which they cannot hope to improve in industry, in civilisation, in morals, or in religion. Sir, such at least will be our attempt. We are not blind to the difficulties of the situation in which we stand. We are not unaware of the perils which may surround us on every side. If we have the confidence of this House, we may hope to meet and to surmount them. If we are not honoured with that confidence, we can only hope that the administration of affairs may be placed in other hands better calculated to carry on those affairs to the welfare and prosperity of Her Majesty and Her dominions.

MR. WAKLEY said, he thought he might be pardoned for addressing a few words to the House, as not a single Member for a metropolitan borough had spoken. He represented a tolerably large constituency; he thought he knew something of the state of public feeling; and he would endeavour to speak to the subject before the House. The noble Lord had distinctly told them that if the Motion of the hon. Gentleman (Mr. Hume) should be carried, the Government would resign. Intimations of that kind were unconstitutional. But there was something in the appeal of the noble Lord more than appeared upon the surface. One could easily believe that he was perfectly aware that a very large proportion of the House would not find it extremely convenient to meet their constituents at this period; and consequently he would find no difficulty in obtaining a number of votes if his threat should be believed. If he (Mr. Wakley) dissented from the noble Lord on this occasion, it was the noble Lord's own fault. His arguments in 1842 and 1845 convinced him (Mr. Wakley) that the income-tax, in its present shape, was an iniquitous tax, and ought not to be maintained; and what right had the noble Lord now to complain of hon. Members for holding the opinions he himself held then? In 1842, the noble Lord said, that if an income-tax was the best thing to be resorted to, "it should be made equal, all circumstances being taken into consideration." In 1845, the right hon. Gentleman the Member for Liskeard moved a resolution—

> "That it is the duty of the House to take care that the income-tax be imposed in a form in which its operation shall be less unequal and inquisitorial than it now is;"—

and the noble Lord voted for that resolution, and said, in answer to the argument that the inequality of the tax ceased when the income ceased, and when, for instance, the professional man was disabled by disease from following his profession, and was thus deprived of his income;—

> "But then they would have already taxed the man on the income he had received, and taxed him too at the same rate that they taxed the man whose income was permanent, and who would receive the same amount even if confined to a sick bed; it was impossible by any ingenuity or by any sophistry to show that there was equality in the mode of assessing the tax."

These contrarieties between a man when out of office, and the same man when in office, really seemed to favour the doctrine of the duality of the human mind, corresponding with the division of the brain into two hemispheres; it appeared as if one hemisphere were in operation when a man was in office, and the other when he was out. But these inconsistencies on the part of distinguished men destroyed that faith which there ought to be in the Legislature of the country. The noble Lord was as vehement now for maintaining the tax as he was in 1845 for resisting it. Which was to be followed? In his (Mr. Wakley's) opinion, the Lord J. Russell of 1845, when the right side of his brain was at work. The noble Lord had stated that the public expenditure was not to be reduced. In the neighbouring country the same doctrine had been held to a very late period; a military force was to be kept up at an extravagant cost, and public opinion was to be put down. Had it succeeded? No; nor would it here. At the same time he must say that the present Government did not deserve the censure passed upon them by an hon. Member (Mr. Roche) with reference to their conduct in Ireland. There had certainly been no gagging of the public press there—no stifling of public opinion; he only trusted that the Government here would follow the example of Lord Clarendon, and be as willing to hear the expression of public opinion. It was not now in the power of such a Government as ours must be to put down public opinion by force of arms. But the conduct the Government was inclined to pursue with reference to the public expenditure was deeply to be regretted. Various opinions were held on that subject, and the noble Lord was correct in saying that there would be a motley group in the lobby for the hon. Member (Mr. Hume); but in the other lobby would there be very great harmony? Why, the noble Lord was receiving most ominous cheers from the other side of the House. How long could he expect to retain his position, when his own side was silent, and he was cheered only by the other side? They were laughing at him there at that moment. They knew that he was pursuing the road to ruin, cheered on by themselves, the Tories; for he (Mr. Wakley) would not use the term "Conservatives." The Tory party were the real destructive party in England, and always had been. They had always resisted every reasonable change until they felt that the very existence of the kingdom was endangered, and then they had relinquished their position. The hon. Members for Oxfordshire and Maldon had spoken very strongly against the income-tax. The hon. Member for Oxfordshire had said that the Government was weak; that he had no confidence in them; that they had committed the most extraordinary mistakes; and that the public placed no reliance upon them. The hon. Gentleman said, "Your drivers are bad, and your crazy machines will be thrown into the ditch; but yet when your servants ask for their wages, you give them at once, and retain them in your service." But the hon. Gentleman was going to vote for the Administration he had thus characterised. Why, if the hon. Gentleman desired to see the Government do their duty, he should not give them this lease of idleness, which might induce them to neglect examining the finances of the country. The proper course to adopt would be to vote the income-tax only for a short time, and then they would make the Ministers industrious, and would lead them to consider whether taxation might not be imposed in a more just and even manner. He should vote for the continuance of the income-tax for one year, and for one year only. He considered that, in its present form, that tax was a most unjust one; and he would tell the House frankly, that, whatever they might think, the people out of doors would not bear it. The people denounced the tax in the most strong and bitter terms; and they considered that from the manner in which the right hon. Member for Tamworth had in the first instance proposed that tax, he ought to have now made some effort for its modification. Some hon. Members of that House had been fascinated by the seductive powers of the right hon. Baronet (Sir R. Peel) when he first brought forward the proposal for an income-tax; but they were now constantly reproaching him for his conduct. He might state, however, that in 1842 he had voted against the income-tax in every stage, and that he had opposed the modifications suggested, with a view to render it more just in its operation; and he trusted, therefore, that he would not be included among the victims of the right hon. Baronet. He had pursued the same course in 1845; but he must express his conviction that the income-tax was proposed by the right hon. Baronet in 1842 for the best of public purposes. He had no doubt the right hon. Gentleman believed that that tax was essential to the success of the scheme of legislation which he propounded at that time. He conceived that in 1845 the House was quite as much in the wrong as was the right hon. Baronet. The right hon. Gentleman admitted that, even if the tax was allowed to expire on the 1st of April, 1845, he would have a suplus revenue of 2,600,000*l.*; but he (Sir R. Peel) said the armament of the country ought to be increased: the House agreed with him, and in his opinion, therefore, the House was more deserving of blame than the right hon. Baronet. He trusted that what had passed would teach the House a useful lesson with respect to their future conduct. It could not be said that the House had pursued a right system of legislation with regard to the working people and the masses of the population of the country. Whatever might be the opinion of the House, he could tell them that an opinion prevailed out of doors that they were indifferent to the sufferings of the working population. [*A general cry of* "Oh, oh!"] That murmur did not disprove the fact: but he supposed hon. Gentlemen did not like to hear the truth told. The hon. Member for the West Riding of Yorkshire (Mr. Cobden) had told them to-night in his admirable speech how the working people were taxed. He would ask, were hon. Members of that House taxed in the same proportion with regard to their means? But the hon. Member for the West Riding had understated the case. There was, for instance, a tax on beer through the malt duty, to which he was surprised that the people submitted. Talk of free trade indeed, in a country where a farmer was not allowed to manufacture his own malt! The hon. Member for the West Riding had said that the malt duty amounted to 4*s.* in every 20*s.*, but the fact was that it was 8*s.* in every 20*s.* Why, if it were not for the tax on malt, the poor man would obtain good beer for 1½*d.* a quart. He called upon the House to consider how the labouring man spent his life. He was up at six in the morning at his daily labour, and he toiled throughout the day until eight in the evening, resuming his work again on the following morning, and pursuing throughout the whole week, from month to month and from year to year, without any recreation or pleasure or enjoyment. He asked the House to show, then, that they sympathised with the working millions of the country. He called upon his hon. Friend (Mr. Cobden), the leader of the Anti-Corn-Law League, which he had never joined, to exercise his great abilities, and to apply his energies to improve the condition of the working population, as far as legislation in that House was concerned. The people had aided that hon. Gentleman in his labours, and he now asked the hon. Member to aid them in theirs. He must say it was his deliberately formed conviction that the working people never would receive justice from the Legislature till they were represented in that assembly. He had formed that conviction from what he had observed of the conduct of the Legislature; for he regretted to say that Parliament had manifested the utmost indifference with reference to the condition of the poorer classes of the country. The working classes had expected to be benefited by the operation of free trade, but hitherto that expectation had not been fulfilled. He agreed with the hon. Member for Somersetshire (Mr. W. Miles) that free-trade measures had not yet had a fair trial, and his conviction was that they would altimately succeed, and that they would be productive of extraordinary advantages to the working classes of the community. The people, however, entertained the strongest objection to the income-tax in its present odious form. They believed that it would be a perpetual tax; and the Chancellor of the Exchequer had held out no hope of its removal. The right hon. Baronet opposite (Sir R. Peel) was opposed to any modification of the tax, and had said that he would never sanction a proposal to impose one rate of charge upon incomes derived from trades and professions, and another rate of charge upon incomes from real property. What hope was there that if this tax was now voted for three years, it would not be continued beyond that period in its present odious and unjust form? The unequal and inquisitorial nature of the tax, and the irresponsibility of the commissioners appointed to carry the law into effect, were loudly complained of in all parts of the country. He begged to remind the House of the manner in which Mr. Fielden, the late Member for Oldham, had been treated. Mr. Fielden returned that he had no profits whatever either upon his business that year, or upon the average of the last three years. No one in that House would doubt the word of this Gentleman; he declared on oath that he had made no profits; but he was nevertheless assessed in the sum of 12,000*l.*, and on three several occasions his property was seized, and all account of the sale and the result of the sale refused. If this, then, was the treatment of a man in Mr. Fielden's station, what must have been the condition of those in humbler circumstances? Why, of course, they had been the victims of most heartless cruelty. The noble Lord had not urged a single valid reason for the expediency of continuing this tax longer than a year. The one assertion was, that if the Government scheme were rejected they would shake the public credit; but the noble Lord had not afforded them the slightest proof that such would be the case. The noble Lord was well aware that no such effect would follow; he knew very well that if at the end of twelve months there existed any necessity for renewing the tax, the House would only be too ready to vote for its reimposition. The hon. Member for Sunderland (Mr. Hudson) had expressed his surprise that the Government could not discover new taxes; but the public wanted a reduction in the expenditure, and the public would have it. The salaries of all the high officers of State must be reduced in the first place. An excellent example of such economy had just been set to them. An Ambassador had just been appointed from one of the first countries in Europe at the stipend of 400*l.* a year. That was a sudden reduction from 15,000*l.* a year. And, as it had recently been discovered at Paris, in the case of that particular country, the Government was exceeding in its expenditure the income by the enormous sum of 45,000 francs a day, and had been so exceeding it for 268 days. The Government so circumstanced was resting upon a volcano which might explode at any moment, and let warning be taken by the result. This country also had been plunged into debt—but by whom? Not by the representatives of the working people. The debt had been incurred by the aristocracy of this country. This huge burden had been fastened upon the nation by the aristocracy alone, and yet, while they were hearing constantly in that House that they must not violate public faith or neglect public credit, the public creditor alone received any consideration. [*Interruption.*] No doubt some of the juvenile branches of the aristocracy were interrupting him at that moment—some young Gentlemen just out of leading-strings, and who by some unfortunate influence had obtained seats there, and so procured the privilege of making unpleasant and asinine noises. There would, however, other opportunities arise of speaking disagreeable truths, and he would not detain the House. He would only, in conclusion, entreat of the noble Lord to bear in mind that this country was most unduly taxed—that this tax in particular was most unequal and unjust in its operation; and that, in consequence, the people were resolved it should not be maintained.

MR. MUNTZ begged the indulgence of the House for a few minutes. He had listened with the greatest attention to the speech of the noble Lord (Lord J. Russell), in the hope of hearing some argument which would have given him an excuse for voting in favour of the Ministerial proposal. Not the slightest reason, however, had been given for inducing him to alter his mind. He could not see how the national credit could be influenced by the continuance of the tax for three years. He had always acted upon the maxim, that the only way to make persons economical was to keep them from having too much money at their disposal; and he would venture to say that Ministers would not be so careful, cautious, and economical in spending a tax which they knew would be continued for three years, as they would be if it were only continued for one. The noble Lord had said, that if the House would not grant the tax for three years, he would go out of office. Well, let him go out of office. He entertained a great respect for the noble Lord; but he believed there were other men who could govern the country as well as he or those who acted with him could possibly do. And who were the great promoters of the three years' proposal? The Government who were in, and the ex-Government who were out, but who expected to be in as soon as the other should be out. The hon. Member for the West Riding of Yorkshire (Mr. Cobden) had said that if the income-tax was imposed fairly, the country would consent to its being permanent. He (Mr. Muntz) did not agree in that opinion. He believed that unless means could be found to divest the impost of its inquisitorial character, it would never prove acceptable. The hon. Gentleman then adverted to the inconsistency and unfairness of the Irish Members entering into league with the Government to saddle England and Scotland with a tax from which their own country was exempt. In return, he could tell those hon. Gentlemen that he should do every thing in his power to extend the tax to Ireland; and he then stated that every representative of a constituency who objected to the tax was bound in honour and honesty to adopt a similar course. With respect to national credit, he really thought that Ministers were putting the cart before the horse. He thought that public credit depended as much upon private credit as upon anything else. He recollected periods when the public credit was only very middling, and nevertheless private credit was good. He did not think the question of credit would be effected in any way whether the vote was taken for three years or for one. He should vote for the latter as being more advisable in an economical point of view.

COLONEL SIBTHORP observed, that although it was the custom with certain hon. Gentlemen at the other side of the House to talk a great deal about their "sympathy for the working classes," just as good a feeling was exhibited for them at his side of the House. He would like to know what had been done for the working classes by the hon. Gentlemen who professed so much on their behalf? It was his intention to vote for the Motion of the hon. Gentleman the Member for Montrose, as he had no confidence in the Government, and thought one year was quite long enough to trust them with the public money. He was no advocate for reductions in the estimates for the national defences, so long as the security of the country was at stake; but, at the same time, he thought judicious retrenchments might be made. Whenever the hon. and learned Gentleman the Member for the University of Cambridge (Mr. Law) brought forward his Motion, he would vote for it, as also for any Motion that might be made to include Ireland.

MR. G. THOMPSON would give a distinct pledge not to infringe on the House for many minutes. He considered he was justified in making a few observations, representing, as he did, one of the largest constituencies in the kingdom, who had commissioned him to enter his protest on their behalf against the continuance of the tax, and more especially against its continuance in its present unjust, unequal, and oppressive form. He therefore rose, not to enter into any matters of finance, but to lift up his voice, humble though it was, to swell the note of remonstrance which he hoped, even at the eleventh hour, would not fall unheeded on the ears of Her Majesty's Ministers. The income-tax was acknowledged by all parties to be unjust and oppressive; and it was not until a recent period of the debate that hon. Gentlemen were found to take up its defence, and endeavour to show that it had any semblance of justice or equality in it. The law which imposed it was declaredly unjust; and, like all other unjust laws, contained within it the seminal principle of disaffection and revolution. He would not appeal to the fears of the House, for he knew that would be foolish; but he appealed to the House as the conservator of the public institutions of the country, not to pass this law. If the Government insisted upon pressing this law for three years, they would have the opposition of all the middle and some of the upper classes; and that opposition, united with the growing disaffection, from a deep sense of wrong, on the part of the working classes, might make them deplore the feeling of universal discontent which would be raised against them out of doors. He would record his vote in favour of the Motion of the hon. Member for Montrose; and he trusted that however large the majority might be against it, there would be found a sufficient number of the representatives of the people in the other lobby to show, that although a general feeling of sympathy for the industrious classes did not abide in the House, that the people were not without a voice in the representative assembly.

MR. C. PEARSON inquired whether, as the representative of 4,800 electors, the House would be pleased to allow him four minutes and eight-tenths of a minute for his address. He held his watch in his hand, and if they would listen to him in silence, he would not exceed the time he had mentioned. The subject was now nearly exhausted. They had touched upon almost every topic connected with it. They had wandered from Dan to Beersheba, and had exhausted every topic upon which it was possible to dilate. He had presented a petition to the House signed by his constituents at the most numerous and the most respectable meeting that ever was assembled at the Horns Tavern. That petition declared that the imposition of the income-tax was unnecessary—that it was unjust in principle—that it was oppressive in its operation—and that it was inquisitorial and inequitable in its assessment and collection. Upon those grounds his constituents had requested him to oppose it. It was therefore his intention to vote against it in every form, and at every stage. He would merely support the proposition of the hon. Gentleman the Member for Montrose, because he thought that one year's infliction of taxation, unjust, iniquitous, and oppressive, was a less evil than its imposition for three years. But he would reserve to himself the right of opposing it altogether when it came before the House for its final discussion, and he did so upon the principle that it might not hereafter be said that he acquiesced in it, because he did not resist it with all his might. He therefore begged to say, that although he would not take part in any factious opposition to support or to oppose a Ministry, he would, upon all occasions when he felt it was his duty to do so, assert his principle and divide the House.

The Committee divided. On the question that the words proposed to be left out by Mr. Hume, stand part of the question:—Ayes 363; Noes 138: Majority 225.

List of the AYES.

Abdy, T. N.
Acland, Sir T. D.
Adair, R. A. S.
Adare, Visct.
Adderley, C. B.
Alexander, N.
Anson, hon. Col.
Anson, Visct.
Anstey, T. C.
Archdall, Capt. M.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Ashley, Lord
Bagshaw, J.
Bailey, J.
Bailey, J. jun.
Barkly, H.
Baring, H. B.
Baring, rt. hon. F. T.
Baring, T.
Baring, hon. W. B.
Barnard, E. G.
Barrington, Visct.
Barron, Sir H. W.
Bell, M.
Bellew, R. M.
Berkeley, hon. Capt.
Birch, Sir T. B.
Blackall, S. W.
Blakemore, R.
Bolling, W.
Bourke, R. S.
Bouverie, hon. E. P.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Brand, T.
Broadley, H.
Brockman, E. D.
Brooke, Sir A. B.
Brotherton, J.
Brown, W. S.
Browne, R. D.
Bruce, Lord E.
Bruce, C. L. C.
Bulkeley, Sir R. B. W.
Buller, Sir J. Y.
Buller, C.
Bunbury, W. M.
Bunbury, E. H.
Burghley, Lord
Burke, Sir T. J.
Busfeild, W.
Buxton, Sir E. N.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Castlereagh, Visct.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cavendish, W. G.
Cayley, E. S.
Chaplin, W. J.
Charteris, hon. F.
Chichester, Lord J. L.
Cholmeley, Sir M.
Christy, S.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cocks, T. S.
Coke, hon. E. K.
Cole, hon. H. A.
Colebrooke, Sir T. E.
Coles, H. B.
Conolly, Col.
Corbally, M. E.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Courtenay, Lord
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Cubitt, W.
Currie, H.
Currie, R.
Curteis, H. M.
Dalrymple, Capt.
Damer, hon. Col.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Denison, J. E.
Dod, J. W.
Douro, Marq. of
Drumlanrig, Visct.
Drummond, H.
Drummond, H. H.
Duff, G. S.
Duncan, Visct.
Duncombe, hon. O.
Duncuft, J.
Dundas, Adm.

Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellice, E.
Elliott, hon. J. E.
Estcourt, J. B. B.
Euston, Earl of
Evans, W.
Farnham, E. B.
Fellowes, E.
Fergus, J.
Ferguson, Col.
Ferguson, Sir R. A.
Ffolliot, J.
Filmer, Sir E.
Fitzpatrick, rt. hn. J.W.
Fitzroy, hon. H.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, S. W. L.
Freestun, Col.
Frewen, C. H.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Gordon, Adm.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Guest, Sir J.
Haggitt, F. R.
Hale, R. B.
Halford, Sir H.
Hallyburton, Lord J. F.
Hamilton, G. A.
Hamilton, Lord C.
Hastie, A.
Hay, Lord J.
Hayes, Sir E.
Hayter, W. G.
Headlam, T. E.
Heald, J.
Heathcoat, J.
Heathcote, G. J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Hervey, Lord A.
Heywood, J.
Hildyard, R. C.
Hill, Lord E.
Hodges, T. L.
Hodges, T. T.
Hogg, Sir J. W.
Hood, Sir A.
Hope, Sir J.
Hope, A.
Hotham, Lord
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Hughes, W. B.
Hutt, W.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, Sir J.
Jervis, J.
Johnstone, Sir J.
Jones, Capt.
Keating, R.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Kildare, Marq. of
Knightley, Sir C.
Knox, Col.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Leslie, C. P.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Loch, J.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Lygon, hon. Gen.
Mackenzie, W. F.
Mackinnon, W. A.
Macnamara, Maj.
M'Naghten, Sir E.
M'Taggart, Sir J.
M'Tavish, C. C.
Magan, W. H.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Manners, Lord C. S.
Manners, Lord G.
March, Earl of
Marshall, W.
Martin, C. W.
Masterman, J.
Matheson, A.
Matheson, J.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Melgund, Visct.
Meux, Sir H.
Miles, W.
Milnes, R. M.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Morison, Gen.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Mundy, E. M.
Mure, Col.
Napier, J.
Newdegate, C. N.
Newry and Morne, Visct.
Noel, hon. G. J.
Norreys, Lord
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, J.
O'Brien, Sir L.
O'Brien, T.
O'Connell, M. J.
Ord, W.
Ossulston, Lord
Oswald, A.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, Col.
Pennant, hon. Col.
Perfect, R.
Philips, Sir G. R.
Pinney, W.
Plumptre, J. P.
Plowden, W. H. C.
Powell, Col.
Power, Dr.
Power, N.
Powlett, Lord W.
Price, Sir R.
Prime, R.
Pusey, P.
Rawdon, Col.
Renton, J. C.
Repton, G. W. J.
Reynolds, J.
Ricardo, J. L.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Romilly, J.
Rushout, Capt.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Scrope, G. P.
Seymer, H. K.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Shirley, E. J.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smollett, A.
Somers, J. P.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Spearman, H. J.
Stafford, A.
Stanley, hon. E. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strutt, rt. hon. E.
Stuart, Lord J.
Stuart, H.
Sturt, H. G.
Talbot, J. H.
Taylor, T. E.
Tenison, E. K.
Tennent, R. J.
Thesiger, Sir F.
Thornely, T.
Thornhill, G.
Tollemache, hon. F. J.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Traill, G.
Trelawny, J. S.
Trevor, hon. G. R.
Trollope, Sir J.
Turner, E.
Tynte, Col. C. J. K.
Vane, Lord H.
Verner, Sir W.
Verney, Sir H.
Vesey, hon. T.
Villiers, Visct.
Villiers, hon. C.
Villiers, hon. F. W. C.
Vivian, J. E.
Vyse, R. H. R. H.
Wall, C. B.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wrightson, W. B.
Wyld, J.
Wyvill, M.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the NOES.

Adair, H. E.
Aglionby, H. A.
Alcock, T.
Anderson, A.
Arkwright, G.
Bagge, W.
Bankes, G.
Benbow, J.
Bennet, P.
Bentinck, Lord G.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Blackstone, W. S.
Blake, M. J.
Blewitt, R. J.
Bowring, Dr.
Bremridge, R.
Bright, J.
Brisco, M.
Brown, H.
Buck, L. W.
Cabbell, B. B.
Clay, J.
Cobden, R.
Codrington, Sir W.
Collins, W.

Compton, H. C.
Crawford, W. S.
Dashwood, G. H.
Deering, J.
Denison, W. J.
D'Eyncourt, rt. hon. C.
Disraeli, B.
Divett, E.
Duckworth, Sir J. T. B.
Duke, Sir J.
Duncan, G.
East, Sir J. B.
Evans, Sir De L.
Ewart, W.
Fagan, W.
Farrer, J.
Fitzwilliam, hon. G. W.
Floyer, J.
Fox, W. J.
Galway, Visct.
Gardner, R.
Gooch, E. S.
Goring, C.
Granby, Marq. of
Greenall, G.
Greene, J.
Gwyn, H.
Hall, Sir B.
Hardcastle, J. A.
Henry, A.
Hildyard, T. B. T.
Hindley, C.
Hollond, R.
Hope, H. T.
Hornby, J.
Horsman, E.
Humphery, Ald.
Jackson, W.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Kershaw, J.
King, hon. P. J. L.
Langston, J. H.
Lascelles, hon. E.
Law, hon. C. E.
Lawless, hon. C.
Lowther, H.
Lushington, C.
M'Gregor, J.
Meagher, T.
Marshall, J. G.
Matheson, Col.
Miles, P. W. S.
Milton, Visct.
Mitchell, T. A.
Molesworth, Sir W.
Moody, C. A.
Morris, D.
Mowatt, F.
Muntz, G. F.
Neeld, J.
Nugent, Lord
O'Flaherty, A.
Osborne, R.
Packe, C. W.
Pattison, J.
Pearson, C.
Pechell, Capt.
Pigott, F.
Pilkington, J.
Raphael, A.
Reid, Col.
Rendlesham, Lord
Ricardo, O.
Richards, R.
Robinson, G. R.
Roche, E. B.
Rufford, F.
Salwey, Col.
Sandars, G.
Scholefield, W.
Scott, hon. F.
Sibthorp, Col.
Sidney, Ald.
Smith, J. B.
Spooner, R.
Stanley, E.
Strickland, Sir G.
Stuart, Lord D.
Stuart, J.
Sullivan, M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thompson, Ald.
Thompson, G.
Tollemache, J.
Turner, G. J.
Tyrell, Sir J. T.
Waddington, D.
Waddington, H. S.
Wakley, T.
Walmsley, Sir J.
Walpole, S. H.
Walter, J.
Wawn, J. T.
Williams, J.
Willoughby, Sir H.
Wood, W. P.
Worcester, Marq. of
Yorke, hon. E. T.
Yorke, H. G. R.

TELLERS.
Hume, J.
Hudson, G.

House resumed. Committee to sit again.

House adjourned at a quarter to One o'clock.

HOUSE OF LORDS,

Tuesday, March 14, 1848.

MINUTES.] *Took the Oaths.*—The Lord Dinorben.

PUBLIC BILLS.—2ª Passengers.

PETITIONS PRESENTED. From Itchingfield and Nuthurst, against the Admission of Jews into Parliament.—From Clergy of Hastings, against Receiving Ecclesiastics as Ambassadors from the Court of Rome.—From Members of several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.

PASSENGERS' BILL.

EARL GREY, in moving the Second Reading of the Passengers' Bill, expressed his hope that the regulations it proposed to enforce, as well upon as in behalf of the passengers in emigrant ships proceeding to North America, would tend to prevent evils which, in the extensive emigration of last year, became so flagrant. A copy of the regulations would be kept stuck up conspicuously on board — a very necessary provision; for when Mr. De Vere went out in one of these ships, he saw great reason to complain of the indiscriminate sale of ardent spirits, but was not aware that heavy penalties could on arrival have been inflicted for such a practice.

LORD STANLEY had no objection to make to the second reading of the Bill, but should reserve until it went into Committee what he had to say on certain points of detail.

EARL FITZWILLIAM expressed his approval of the Bill. It had been whispered that it was the intention of the Government to sanction a very considerable increase of the emigrant-tax in the colonies; but he hoped they would not adopt such a measure without mature consideration.

LORD MONTEAGLE observed, that if he thought this Bill would have the effect of discouraging emigration, he would not give it his support; but he was sure their Lordships must admit that the state of things which had existed last year with regard to emigration ought not to be allowed to continue; and he believed this Bill would be attended with beneficial results. At the same time, he was glad it was proposed that the provisions of the Bill should only continue in force for a limited time, because it was probable that the circumstances which had rendered the measure necessary would not continue to exist for any long period. He was glad to find that arrangements were proposed for enabling the emigrants to obtain employment on their arrival in the colonies; for the points of debarcation would thus be relieved from the burden of an emigrant population, while the emigrants would be at once aided in obtaining employment from settlers, who would turn their labour to good account. It was most important that they should take care to prevent emigration from becoming burdensome to the colonies; for nothing would tend to discourage emigration more than to overwhelm the colonies with emigrants. He was satisfied this Bill was intended to promote emigration, and to protect emigrants, and he trusted its provisions would be carefully and efficiently carried out.

Earl GREY considered it advisable that the colonies should have the power of increasing the emigrant-tax under certain circumstances; but he admitted that if the tax was fixed at too high an amount it would be liable to great objection.

Bill read 2^{a}.

House adjourned.

HOUSE OF COMMONS,

Tuesday, March 14, 1848.

Minutes.] New Member Sworn.—For Lancaster, Robert Baynes Armstrong, Esq.

Reported.—Borough Police Superannuation Fund.

Petitions Presented. By Mr. Wood, from Stamford, for Inquiry into the Stamford Election.—By Mr. Burroughes, from Norfolk, against, and by Sir W. Clay, in favour of, the Jewish Disabilities Bill.—By the Earl of Arundel and Surrey, from Falkirk, against the Roman Catholic Charitable Trusts Bill.—By Mr. Burroughes, from Neatishead (Norfolk), complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By the Earl of Arundel and Surrey, from Melton Mowbray, and by Mr. Cardwell, from Pontypool (Monmouth), in favour of the Roman Catholic Relief Bill.—By Mr. H. Hope, from Gloucester, and other Hon. Members, for Repeal of the Duty on Attorneys' Certificates.—By Sir J. Jervis, from Chester, for a Repeal of the Duty on Bricks.—By Mr. Fordyce, from Aberdeen, for a Reduction of Tolls and Dues on Lighthouses.—By Mr. Dashwood, from Chipping Wycombe (Bucks), and by Sir G. Grey, from Northumberland, against a Continuance of the Property Tax.—By Mr. William Marshall, from Members of the Loyal Greenwich Lodge of the Independent Order of Odd Fellows, Manchester Unity, for an Extension of the Benefit Societies Act.—By Mr. Burroughes, from Norwich, against the Diplomatic Relations with the Court of Rome Bill.—By Sir R. H. Inglis, from Walham Green (Middlesex), and other Hon. Members, from several Places, against the Diplomatic Relations with the Court of Rome Bill.—By Mr. Mackinnon, from the Parish of St. Anne's, Westminster, for Discontinuing Interment in Towns.—By Mr. Sharman Crawford, from the Presbytery of Ballibay, for an Alteration of the Law of Landlord and Tenant (Ireland) Bill.—By Mr. P. Miles, from William Morgan, of Eldon Cottage, Bedminster, for an Alteration of the Law of Lunacy.—By Sir John Trollope, from Welbourn (Lincoln), for Retrenchment in the Naval and Military Expenditure.—By Lord G. Bentinck, from Bangor (North Wales), and several other Places, against a Repeal of the Navigation Laws.—By Mr. B. H. Bulkeley, from Nevyn (Carnarvon), for an Alteration of the Law of Parochial Assessments.—By Sir Percy Nugent, from Westmeath, for an Alteration of the Poor Law (Ireland).—By Mr. Sir H. F. Davie, from North Berwick, for an Alteration of the Law respecting Prisons (Scotland).—By Mr. Cardwell, from Liverpool, and other Hon. Members, from several Places, for an Alteration of, and by Mr. William Marshall, from Penrith, and Sir Harry Verney, from Bedford, in favour of, the Public Health Bill.—By Mr. Aglionby, from Cockermouth, and other Hon. Members, from a number of Places, for Abolition of the Punishment of Death.—By Mr. F. O'Connor, from John Shelly, No. 43, Constitution Street, Aberdeen, praying the House to take his Case into Consideration.—By Mr. Wylde, from Lawrence Holker Potts, Doctor of Medicine, of No. 9, Buckingham Street, Adelphi, for Inquiry respecting Submarine Foundation.—From the Commissioners of Supply of the County of Fife, to take into Consideration the Turnpike Trusts (Scotland).—By Mr. Kershaw, from Stockport, for Referring War Disputes to Arbitration.

THE LATE RIOTS IN THE METROPOLIS.

Sir W. CLAY, seeing the Attorney General in his place, wished to put a question to him, which was of considerable importance not only to his constituents, but to the inhabitants of other portions of the metropolis—he alluded to the damage done to property by the recent riots. Window-breaking was carried to a great extent; and as the glass broken was generally that in shop windows, the damage perpetrated amounted to a considerable sum. He wished to ask—first, whether the persons whose property had been thus destroyed possessed any claim for compensation upon the county or elsewhere; and, if so, what was the proper legal course to adopt to recover the amount?

The ATTORNEY GENERAL would state, as shortly as he could, the law on this subject. The House was aware that before the recent Act was introduced by the right hon. Baronet the Member for Tamworth, remedies were given against the hundred by several statutes; but by the Statute 7 and 8 George IV., cap. 27, the Statute of Winton, the Riot Act, the Black Act, and other statutes relating to remedies against the hundred were repealed; and other provisions were introduced by the Statute 7 and 8 George IV., cap. 51. The Acts which related to the question were the 7th and 8th George IV., c. 27, and the 7th and 8th Victoria, c. 31. The first section of that Act gave a remedy against the hundred, where the house, shop, or other building mentioned in the Act, was feloniously broken or begun to be broken, pulled down, demolished, or destroyed, wholly or in part. But to come within the section of the Act, the offence should be complete according to the provisions of the 7th and 8th George IV., 3. 30, sec. 8, which made it felony wantonly to force into, demolish, or begin to demolish, the buildings specified. Now, the question to be satisfied in order to the bringing of the offence within the meaning of the Act, was, what was the beginning to demolish which would suffice in order to give a right to the remedy against the hundred? And that was a question solely for a jury to decide. The jury should say that the parties had either demolished the building or began to demolish it, and that they would have demolished it if they had not been prevented. There were some cases in which decisions had been given. He would mention two. One was that of Reed and Clarke (7 Term Reports), in which the parties broke the windows and the shutters of the house, in order to compel the proprietor to illuminate. The case was tried before Lord Ellenborough, under whose direction the jury found for the defendant, the act not being a beginning to demolish with intention to complete the destruction. So, also, in another case, where the parties broke all the windows of a house, and then retired of themselves, it was held that that was not a beginning to demolish, they having shown no disposition to carry the demolition fully out. So that there was no remedy provided except where the house was demolished, or the parties had begun to demolish it with an apparent intention of destroying it but for their having been prevented. Of course his hon. Friend did not expect him to state whether the parties to whom he had alluded might be made liable. Their poverty might render them safe from civil liability; but although, in consequence of their poverty, they might not be responsible, they could be held criminally responsible, the criminal law providing a punishment for them.

ALLEGED TREATY WITH PRUSSIA.

Mr. HINDLEY begged to put the question which he had put on the preceding evening to the noble Lord. He wished to know whether there was any truth in the report that a treaty offensive and defensive had been concluded between this country and Prussia?

Viscount PALMERSTON said, that there was no truth whatever in the statement. The only foundation that he could imagine there had been for the report was the statement that the Prussian Government had determined to follow the same course as that which Her Majesty's Government had determined to pursue, namely, not to interfere in any way whatever in the internal affairs of France, and not to say or do anything that might be construed into an intention of interfering.

AGRICULTURAL STATISTICS.

Mr. SANDARS asked the right hon. Gentleman the President of the Board of Trade whether the Government had any intention of proceeding with the measure relating to the collection of agricultural statistics?

Mr. LABOUCHERE said, he had considered the subject of the measure introduced last Session with regard to agricultural statistics. But one of the recommendations connected with it which he had made was that the expenses which should be necessarily incurred, amounting, as they were estimated, to between 30,000*l.* and 40,000*l.*, should be borne by the Consolidated Fund. And his reason for recommending that mode of charging was, that the collection of statistics having to be made for the benefit of the country at large, the cost should be borne by the country at large. However, he was not surprised to find the Chancellor of the Exchequer was unwilling to assent to such an additional charge upon the Consolidated Fund in the course of the present year. He felt himself, therefore, obliged, however reluctantly, to abstain from pressing the measure during the present year.

PUNISHMENT OF DEATH.

Mr. EWART said: Sir, in moving again for leave to bring in a Bill totally repealing the punishment of death, I am impelled by two considerations: one, the deeply increased conviction of my own mind on the subject; the other, the accumulating force which this question is acquiring in the public mind. But a few years ago, and scarce a magistrate, scarce a clergyman, not a judge of the land, was avowedly favourable to the principle of the inviolability of human life. Now, our cause is strengthened and adorned by the support of many magistrates, many clergymen (blending the sacred spirit of the gospel with the more worldly principles of human expediency), and, as I shall hereafter show, by the expressed opinions of several of the judges of the land. Among the mass of the people generally, in society itself, the feeling against capital punishment is more widely spread. It finds a faithful echo in the more modern portion of the press. It is traceable in the verdicts of your juries, given in several cases against evidence, but in favour in human life; verdicts induced not only by the well-known tendency of jurors to avert from the criminal the punishment of death, but by other circumstances which come in aid of that tendency—I mean the connexion now supposed to exist between extraordinary crime and temporary or partial, insanity; and especially that species of it which consists in a perversion of the moral sense, and which modern medical writers describe under the name of moral insanity. When names of such evidence as those of Pinel, Esquirol, and Conolly, are cited before a jury in support of such a theory—be it right or be it wrong—a new apology is offered for finding a verdict which shall not involve the punishment of death. We have seen this conflict between medicine and law recently occur: are we not likely again to witness its occurrence? But, still it is said, "juries do find a verdict of guilty in cases of murder: the example, though occasional only, has its effect upon the people; they imagine a connexion, however vague, between the offence and the punishment; the occasional infliction of the one, deters the frequent perpetration of the other." But to this reasoning we oppose the admitted legislative axiom, that uncertainty of punishment is promotive, rather than preventive, of crime. Your capital punishments, even for murder, are occasional. Can they act as steady, efficient, impediments to crime? Nay, even when you make a violent effort, and sternly carry the law into effect for a time, visiting every case of murder with capital punishment, it is doubtful whether you will succeed in repressing crime. And why? Because your effort is only for a time. It is a convulsive effort, which you cannot continue. You may make it for a year. Can you maintain it for a series of years? Such is now your course in Ireland. I know the case of Ireland will be pleaded against me. It will be alleged, that since executions have been inexorably carried into effect, these murders have been checked in Ireland. I do not believe this to be the case. I have here confidential communications from Ireland, which show that executions have been constantly followed by murders. Nay, the case of a family is mentioned in these papers (and on them I believe I can rely), showing that the execution of the grandfather did not deter the father of the criminal, and the execution of both did not deter that criminal himself from following each other in the bloodstained path of crime. Sanguinary punishments suggest sanguinary crimes. The connexion between them is one which experience has often traced. I believe it will now be traced in the criminal annals of Ireland. But let me give you a passing instance—one just recorded in our Journals—and ask you whether the exhibition or the description of such scenes as I am about to depict, will allay, or excite, the spirit of sanguinary vengeance. The scene is Clonmel. The occurrences are these. The report I have ascertained to be a correct one. John Lonergan, Henry Cody, and Philip Cody are about to be executed:—

> "At twenty minutes to eleven o'clock, a strong body of police arrived. At a quarter to eleven, Colonel Dundas came on the ground, followed by other bodies of military. On their arrival, the people began to accumulate; more numerous than I ever beheld in this country at any previous occurrence of this nature. As far as the eye could reach, there was a perfect sea of human heads. Previous to the sheriff's arrival, the hangman, attired in a gaol dress, his head and face enveloped in crape, appeared. At ten minutes past ten o'clock, Henry Cody the elder came on the drop with a firm step and clear lively countenance. John Lonergan next appeared, much emaciated and careworn, very faint, but perfectly resigned to his fate. Philip Cody, the younger, then appeared. His appearance created a lively sensation. Young, handsome, and athletic, he elicited a strong ebullition of feeling. Henry Cody next reappeared, much excited. He walked with a rapid firm step, made directly at the executioner, caught him in his pinioned arms, and attempted to throw him over the balcony. Finding himself foiled, he kicked the executioner. Mr. Power placed him on his knees, and reasoned with him as only a minister of the Roman Catholic religion can do, and having (as he conceived) pacified him, led him forth again. The executioner was then standing on the platform with his hands folded. The culprit again attacked him; but not being able to catch him, he kicked him frightfully. His brother, during this scene, cried piteously, seeming naturally very anxious to aid him. During all this time, Lonergan was allowed to remain in suspense on the fatal drop. The younger Cody was then solicited to retire. This he refused, until persuaded by Mr. Power. The fatal bolt was instantly drawn, and the three men were launched into eternity amidst the execrations of a vast multitude. Curses loud and deep were vociferated during this awful scene, which continued for twenty-seven minutes. Revenge was sworn to audibly and determinedly in the Irish language, and imprecations awful to mention were levelled at the aiders and abetters of this awful scene."

Will sights such as these allay, or arouse, the spirit of murder and revenge? Will they not fan the flame which they are intended to extinguish? Time alone can satisfactorily answer these questions. But even as it passes by, it admonishes us that the people are not learning civilisation from the deliberative atrocities of the law. I am aware that it is usual, on these occasions to appeal from facts to figures: and statistical returns have been made the ground of arguments against us, as they have been in our favour. Into these I entered fully the two last times when I brought this Motion forward. But I have always said that on statistics you cannot implicitly rely. If a year or two years of distress enter into the period for which you make your calculation, they are the real causes of augmented crime. It is sufficient if it be shown that a series of years during which the capital punishment has been not only lawful but inflicted, compared with a similar series during which it has been legally or virtually repealed (omitting exceptional years such as those I have alluded to), justifies our theory and supports our facts. I believe this to be the case. I believe it to be proved so by the statistical returns. Having quoted many of them in former years, I shall confine myself to one moved for in the last Session of Parliament by Sir Fitzroy Kelly. It relates to the two years ending in December, 1844, and the two years ending in December, 1846. It shows a great diminution of crime generally, and a great one in crimes for which capital punishment has been remitted or relaxed. Thus—

	In the biennial period of 1844.	In the biennial period of 1846.
The murders were,	160	133
Attempts to murder (increased)	29	42
Attempts to murder, with bodily injuries (decreased)	42	24
Rape	254	225
Burglary	1,288	784
Cattle stealing	103	63
Horse stealing	345	230
Sheep stealing	689	426
Setting fire to houses, &c.	323	201
Forgery	343	237

I am aware that a winter assize was held in the two years ending in 1844; and that in 1845 and 1846, it was held only in the counties of Lancaster and York. But the dispensation with the winter assize in the two latter years showed that crime was diminished in the country generally, otherwise that dispensation could not have been admitted. Still, I only quote this return as confirmatory of those previously quoted, as tending to show that your repeals of capital punishment have not hitherto been unsuccessful, and that you may successfully go further.

I now, however, appeal from figures to evidence of a more important nature—I mean the opinions of those persons whose experience qualifies them to judge peculiarly and practically on this subject. Such persons being practical men, are naturally the last to sanction the application of a theory to their own daily familiarity with fact. When they therefore admit, or begin to admit it, their opinion is of the greater value. As they are the last to move, the impulse of conviction must have been proportionately powerful. It is known that evidence on the criminal law was taken by a Committee of the House of Lords last year. Allow me to show the weight of evidence which was either favourable to the repeal of capital punishment, or doubful of its efficiency. Among the witnesses favourable to entire repeal, I am happy to class some of the Judges of the land. Let me, however, first take the valuable opinion of Mr. Cope, the Governor of Newgate. I cannot cite him as favourable to our views. Still he doubts—and it is something that he doubts—the possibility of dispensing with the punishment of death. The Rev. Mr. Field, the exemplary chaplain of the gaol at Reading, is so far favourable, that he is at all events adverse to public executions. He is asked—

> "Is the deterring effect of capital punishments great upon those who witness an execution?" He answers, "I conceive that a man who has witnessed an execution once, or at any rate repeatedly, would be more likely to commit murder than one who has not."

Mr. Charles Phillips, a barrister of great experience in our criminal courts, is "decidely favourable to entire abolition." Let us now come to the authorities of a judicial character. Mr. Bullock, the chief judge of the city court, owns that he has "changed his opinion" on the subject several times. Mr. Rushton, the stipendiary magistrate of Liverpool, a gentleman of well-known character and talents, and of great legal experience, is asked—

> "Is it your opinion that capital punishment can in all cases safely be dispensed with?" He answers, "It is." Again: "Is it your opinion that, supposing a person is doubting whether he shall shed blood, the fear of death may have the effect of deterring him?" "I do not believe it at all. . . . The punishment, in my opinion, produces no sort of salutary effect. It often excites sympathy with the sufferer."

Let us now ascend higher in the scale of authority; to the Judges of the superior courts themselves. Lord Denman, the Chief Justice of the Court of Queen's Bench, will give no opinion. At least, then, Lord Denman doubts. Mr. Justice Erle grounds his support of the punishment of death on the supposition that the community is not reluctant to inflict that punishment. But the stability of the learned Judge's premise may very reasonably be doubted. Mr. Justice Maule gives no opinion. Mr. Justice Maule, therefore, may reasonably be deemed to doubt. Chief Justice Wilde says—

> "The question involves considerations too grave to warrant a hasty opinion, however great the objections to the punishment of death may be; and, in my opinion, they are very great."

Mr. Justice Coltman says—

> "I am disposed to think that imprisonment for life (without hope of remission of the sentence, unless the innocence of the accused should be made to appear) might be substituted without inconvenience for capital punishment. Many guilty persons now escape who would then be convicted; and, though the punishment has little to excite apprehension in comparison with that of death to the majority of persons, I do not think the apprehension of death operates much on the mind of a man who is meditating a great crime."

Mr. Justice Wightman answers the question proposed to him as follows:—

> "There can be little doubt that secondary punishment may be made so severe as to be a sufficient substitute for the punishment of death, provided such secondary punishment is invariably and inflexibly carried out. But whatever the substituted punishment may be, it should be fixed and certain, leaving no discretion to be exercised by the Judge who passes the sentence."

Next we come to the Irish Judges—I continue to cite those who are doubtful, or favourable — Mr. Justice Crampton gives no answer. He, therefore, at least, may be held to doubt. Mr. Justice Perrin is asked—

> "Do you think that punishment by transportation or imprisonment would be a sufficient substitute for the punishment of death?"

He answers—

> "I do. I would add, that the increased certainty of conviction and of some heavy punishment, though short of capital, must operate strongly. I am convinced that, in many cases—in murder cases—when juries have either acquitted or not agreed in a verdict, the apprehension exists of taking away life where a mistake might, by any possibility, be made. . . . . And that, if the punishment had been short of death, convictions would have taken place."

Here we have a Judge — and a most able as well as enlightened one — stating that the abolition of the extreme punishment would especially apply in the only remaining cases for which we seek that abolition — in cases of murder. Let me now add the testimony of another Irish Judge—Chief Baron Richard:—

> "I am of opinion," he says, "that public executions ought not to be persisted in. They are, in my opinion, calculated to degrade and demoralise the people. I am inclined to think that transportation, attended with the most stringent regulations, might be substituted for the punishment of death."

I admit that Chief Baron Richards does not give a fixed and final opinion on the subject; but he adds that—

> "Hanging is a very cruel method of taking away life, and should, in any case, be abolished."

So far the Judges. The opinion of such distinguished and responsible persons — cautious and qualified as it must necessarily be—given now for the first time, or rather extorted from them, publicly, is of great weight, and must exercise a powerful influence on the public mind. Granted that the majority of those learned persons are against the change which we solicit, it is much to have any of them, seeing their great responsibility, give a decidedly favourable answer on such a subject. And be it remembered that the Scotch Judges — who are scarcely ever called upon to pass the extreme sentence of the law, and are, therefore, least familiar with the effect of public executions — are the least inclined towards abolition; while the English and Irish Judges, who more frequently witness the effects of the punishment of death, show an increased leaning towards its abrogation. A few years ago, I doubt if any such opinions would have been maintained, or divulged, by any of the Judges. But let me ask, Sir, whether this civilised and Christian view of the question is not supported by the experience of every species of government as well as of our own? Take a republic—take a despotism—take your own colonial administration. In each form of government you will find that the evidence of facts gives validity to our theory, and that the testimony of past history sustains the inferences of modern experience. In the Roman republic—it is familiar to every reader — the famous *Lex Porcia*, in the 454th year of the republic, abolished the punishment of death. Cicero —as I stated last year — could not violate this law, even in the exceptional case of the Catalinarian conspiracy, without resistance. And what do we learn to have been the results of the abrogation of death-punishment in Rome? Montesquieu—he has often been quoted—states that the republic was not the worse regulated, and that no injury was done to the police of the country. Our own Blackstone connects the repeal of capital punishments with the most flourishing era of the Roman republic, and their revival with the decline and fall of the empire. Turn to the case of a despotism. In Russia, I believe, there has scarcely been an execution since the time of the Empress Elizabeth. She, herself (it is stated), allowed none to take place for twenty years. Only one is said to have occurred under the Government of Catherine; and a case of five persons executed altogether for rebellion under the Emperor Nicholas. As to the result, we have the evidence of Count Ségur, so long resident in Russia, who says that, under this law, Russia was one of the countries in which the least number of murders was committed. With respect to the success of this great moral experiment in our own dependencies, the instances of Bombay under Sir James Mackintosh, and of Delhi under Sir Charles Metcalfe, have been often cited. Let us, however, turn to that which is now passing before our eyes. Tuscany (a country which successfully abolished capital punishment seventy years ago, and in which Napoleon unsuccessfully restored it), Tuscany has again, within the present year, abolished the punishment of death. Within this year also, the Duchy of Lucca has abolished capital punishment. And, almost within this month, the Parliament of the Grand Duchy of Baden has repealed it. But a greater example, and of more recent date, remains behind. Within the last fortnight, the new Government of France, wisely directed by that distinguished man—so long the advocate of the repeal of capital punishment—M. De Lamartine, has abolished it for political offences, and suspended it for all offences whatsoever. Do we need, then, examples to lead us in the course of civilisation and Christianity? Should we not rather, famed as we are for the freedom of our institutions and the humanity of our people, should we not rather have been the first to infuse a milder wisdom into our legislation, and give a higher and a purer character to our country. For the executioner is the worst of public instructors, and an execution is a great public lesson in favour of immorality and bloodshed. As surely as the sanguinary shows of ancient Rome degraded and barbarised the Romans, what time Rome herself—

> . . . . "forgot whate'er was great and good
> For pomps of death, and theatres of blood,"

so surely do public executions degrade and and barbarise our country. On the other hand, the disappearance of such scenes would tend to exalt and purify our national character, "to inbreed"—let me quote as I once before did, the words of Milton—

> "To inbreed in a great people the seeds of civility and virtue, to calm the perturbations of the spirit, and to set the affections in right tune."

But here I am perhaps to be interrupted by an objection which, if admitted, would take the question out of the region of legislation, and transfer it to the region of theology. My hon. Friend the Member for the University of Oxford (Sir Robert Inglis), is wont to bar our passage by a single text of the Old Testament, so familiarly quoted that I will not here repeat it. Into the theological argument I will not enter. I do not hold this to be the place for theological discussions. Seldom are they more misplaced than when they are admitted within the walls of Parliament. But I will meet the objection by a single question to which I have not yet heard an answer. If the Bible prescribes, if our religious duty enjoins us, to take life for life, are we not bound to carry the mandate into unvaried execution? And must we not, therefore, entirely put an end to the Royal prerogative of mercy, the exercise of which would, according to this mode of reasoning, be a contravention of the law of God? Our religion breathes a holier spirit, and inculcates, not the prodigality, but the sacredness, of human life. Let this spirit diffuse itself through our legislation: suicide, duelling, capital punishment, all violate this great and sacred principle. Let all be alike condemned as derogatory to the responsibility and dignity of man, and at variance with the genius of Christianity. On this great principle, on the sacredness of life, which no human being has the right deliberately to take away; in taking away which we transgress the boundaries of human jurisdiction, and assume the infallibility of the Deity; in taking away which we limit the power and prerogative of repentance—on this great principle we take our stand. We adjure you, especially at the present moment, to respect it. Human institutions are shaken to their basis. Great principles, the principles of humanity and religion, will still survive; and, whether the dangers of disorder or the blessings of repose hang over the future destinies of this country, your repeal of sanguinary punishments will either mitigate the fury of the tempest, or add sunshine and serenity to the calm. The hon. Gentleman concluded by moving for leave to bring in a Bill to abolish the punishment of death.

SIR G. GREY regretted having to take the same course on the present occasion which he had found to be his duty to take last year on a similar Motion of his hon. Friend, namely, to oppose the application for the introduction of the Bill. If his hon. Friend had proposed to bring in a Bill for removing the punishment of death from some of the offences that still remained capital in law, he would willingly have consented to the introduction of the measure. But as his hon. Friend invited the House to sanction the principle of the total abolition of the punishment of death for all offences, however enormous, he considered that there was no use in allowing the Bill to be introduced, because he felt that the House was now as well able to form an opinion of the principle of the Bill as it should be on the second reading. He believed that the punishment of death for crimes of the blackest dye—and by such he meant to refer to deliberate and premeditated murder—he believed that for such crimes the punishment of death was essential for the safety of society. His hon. Friend invited the House, out of consideration for the sacredness of human life, to abolish capital punishment; but could the hon. Gentleman guarantee that, when capital punishment was abolished, murder would cease? Could he guarantee that, when capital punishment was abolished, cases of murder would not even become more numerous and more frequent than before? He would not complain of the subject being brought forward, because he considered that it was one of the gratifying features connected with the present day that public attention was directed to the subject of punishment for offences. But still he felt that in the strong desire manifested for the treatment of criminals with humanity, and which it was so essential should prevail in all civilised countries, it was necessary to bear in mind whether that feeling might not be carried to a morbid extent. They should bear in mind that those who followed the pursuits of life peaceably and honestly required to be protected against the hands of the robber and the murderer. The hon. Gentleman had not throughout his speech stated one practical grievance existing under the present state of the law. He believed that within the last ten years no person had been executed, except for the crime of murder, or for attempt at murder, which was tantamount, in point of criminal intent, to the commission of murder itself. The hon. Gentleman spoke of the unwillingness of parties to prosecute, of the unwillingness of witnesses to give evidence, and of the unwillingness of jurors to convict, in cases where the punishment of death would be awarded. But it was well known and perfectly understood that in cases where the offence did not involve the highest amount of guilt, the punishment of death was merely recorded, but was never carried into effect. He would not object to the Motion of the hon. Gentleman, if the object were to introduce a Bill for doing away with the penalty of death in cases where it was not advisable or usual to carry it into effect. In fact, he had a Bill prepared on that subject, but he had doubts whether it was worth while bringing it before the House at the present time. The objection urged by his hon. Friend as to the unwillingness of parties to give evidence, and of jurors to convict, applied to the former state of the law, when the punishment of death was carried into effect for comparatively light offences; and the force of this objection had nearly disappeared since the alterations in the law had been effected, which had been originated by the exertions of the Father of his hon. and learned Friend behind him (Mr. Romilly). In cases of deliberate murder, when there was clear evidence of the guilt of the prisoner, he did not think it could be said that juries hesitated to convict. At the same time he was ready to admit that cases had occurred where juries had admitted very slight evidence of insanity. He was glad, however, to perceive that latterly medical men of high standing had expressed an unwillingness to give evidence in such doubtful cases that would lead jurors to acquit. But his hon. Friend ought to recollect that this unwillingness to return verdicts had occurred in other cases besides those of a capital nature. The hon. Gentleman had referred to the statistics on criminal matters, and had remarked truly that statistical returns were not always to be depended upon. But the hon. Gentleman did not compare the returns of crimes for the series of years immediately before capital punishment was abolished for certain offences, with the returns for the years immediately following the change in the law; and if he had, his hon. Friend would probably not be found to rely on statistics in support of the theory which he now supported. He thought the punishment of death had a deterring effect on the commission of crime, which no other species of punishment could have. It was not on the spectators of the punishment alone that this deterring effect was produced. Those who went to see a malefactor struggling in the agonies of death were generally persons familiar with crime, and displaying an absence of moral feeling; but the conviction in the community generally that the punishment of death will follow certainly on the commission of particular offences, must have an effect on the great mass of the people, who knew what they rendered themselves liable to by the commission of crime of that magnitude. Now, with respect to the statistics referred to by his hon. Friend, he found that in England and Wales the total number of persons committed for trial in the following years was —in 1840, 27,187; in 1841, 27,760; in 1842, 31,309; in 1843, 29,591; in 1844. 26,542; in 1845, 24,303; in 1846, 25,107, In cases of attempts to murder, capital punishment having been abolished in 1831 in all cases except where bodily injuries dangerous to life were inflicted, the number of commitments for the five years ending 1831 was 451; for the five years ending 1836, 668; for the five years ending 1841, 937; for the five years ending 1846, 1,099. Of rapes, as to which capital punishment was abolished in 1841, the number in the five years ending 1831 was 252; in the five years ending 1836, 278; in the five years ending 1841, 319; in the five years ending 1846, 597. Of arson, as to which capital punishment was abolished in 1837, except of dwelling-houses or ships, when life is endangered, the number in the five years ending 1831 was 212; in the five years ending 1836, 336; in the five years ending 1841, 183; in the five years ending 1846, 581. Of forgery, the capital punishment in all cases remaining capital having been abolished in 1837, the number for the five years ending 1831 was 312; for the five years ending 1836, 350; for the five years ending 1841, 564; for the five years 1846, 731. And of burglary, the capital punishment having been abolished in 1837, except in cases where persons in the dwelling were wounded or assaulted, in the five years ending 1831 the number was 1,299; in the five years ending 1836, 1,060; in the five years ending 1841, 2,154; and in the five years ending 1846, 2,701. He made use of these returns merely in order to caution the House against supposing that if they abolished the punishment of death for murder, there was no danger of an increase of that crime. With regard to murder, he was happy to say that there had not been the same increase which appeared in the returns for these other crimes. The number of commitments for murder in the five years ending 1831 was 317; in the five years ending 1836, 355; in the five years ending 1841, 284; in the five years ending 1846, 360; or, for the ten years ending 1836, 672; for the ten years ending 1846, 644, showing a diminution of crime in favour of 1846 when the two periods of ten years were taken into account. His hon. Friend had referred to the report of the Committee moved for by Lord Brougham, in the House of Lords, on the amendment of the criminal law; and it was remarkable that he had intended to refer to the report as making out a strong case on the contrary side. His hon. Friend had not referred to the opinion of the Committee itself, but he selected various witnesses, some of whom gave a very qualified opinion indeed in favour of the hon. Gentleman's Motion. One of these witnesses was Mr. Cope, the governor of Newgate; but that gentleman, on being asked—

> "Do you think we might safely dispense with the punishment of death for grave offences, such as murder?" replied, "I doubt that very much."

Much of what the hon. Gentleman had said applied to public executions. Public executions might be right or they might be wrong, but that question was entirely distinct from the question of the total abolition of death. He doubted whether any other mode of execution could be introduced into this country; but, as he had just said, that was a different question from that which the hon. Gentleman contended for. The hon. Gentleman quoted the opinion of Mr. Justice Coltman, which appeared in the following passage:—

> "Do you think any punishment by transportation or by imprisonment would be a sufficient substitute for death in the cases still left capital?—I am disposed to think that imprisonment for life, without hope of any remission of the sentence (unless the innocence of the accused should be made to appear), might be substituted without inconvenience for capital punishment. Many guilty persons now escape who would then be convicted; and though the punishment has little to excite apprehension, in comparison with that of death, to the majority of persons, I do not think that the apprehension of death operates much on the mind of a man who is meditating a great crime: he is generally, I conceive, under the dominion of some overpowering passion, which leads and enables him to set all consequences at defiance."

Mr. Justice Wightman was of the same view, his opinion being as follows:—

> "There can be but little doubt that secondary punishment may be made so severe as to be a sufficient substitute for the punishment of death,

provided such secondary punishment is invariably and inflexibly carried out; but whatever the substituted punishment may be, it must be fixed and certain, leaving no discretion to be exercised by the judge who passes sentence."

But in reply to these opinions, he would ask, was it possible to take away all hope of an appeal to the mercy of the Crown, or to the result of the intercession of friends at some future time, no matter how remote? While the hon. Gentleman, however, picked out two or three of the Judges who gave a qualified opinion in favour of his views, he passed over the great number of these eminent persons who gave a very unqualified opinion against the abolition of the punishment of death. The great majority of the English Judges, the whole of the Scotch Judges, and eight out of ten of the Irish Judges who returned answers, were all decidedly against the abolition of death in all cases. Again, the Committee were unanimous in the opinion which they expressed on this subject. The passage in the report referring to it was this:—

> "Respecting the expediency of abolishing capital punishments, the Committee found scarcely any difference of opinion. Almost all witnesses, and all authorities, agree in opinion that for offences of the gravest kind the punishment of death ought to be retained."

There was nothing in Scripture opposed to the doctrine of capital punishment. He doubted the propriety of going back at the present day to the criminal laws of ancient Rome, or of following the criminal code of Russia. The hon. Gentleman said that capital punishments had been abolished in Russia for the last 100 years; but was it not a fact that criminals in that country were often subjected to a punishment which, though not called capital, they did not survive for six-and-thirty hours? He did not think that his hon. Friend, in citing the law of Russia as an authority in his favour, would consent to the substitution of the knout for the present system of capital punishment. Again, with regard to France, he was aware that the Provisional Government in that country had, very much to their credit, abolished the punishment of death for political offences; but he had not been before aware that they had, as the hon. Gentleman said, provisionally abolished capital punishment for all offences. He had doubts as to the correctness of the hon. Gentleman's authority on that point; and he might refer to the circumstance of a man having been put to death for stealing a silver spoon out of the palace of the Tuileries. A great many others were also executed summarily during the recent events in Paris, and as he thought, very justly, in order to put a stop to depredations during the existence of such a crisis. As he had before stated, he should have been prepared to consent to the introduction of a Bill for abolishing the punishment of death in certain cases, reserving to himself the right of considering in Committee what the various offences were for which the capital punishment was to be remitted; but considering the extent to which the present Motion went, he hoped the House would, on the grounds he had stated, join with him in resisting the introduction of the Bill.

Sir CHARLES BURRELL said, that he hoped he should never live to see the day when the jurisprudence of England would be so altered as to afford no security for life and property in the country; and he should, therefore, give his cordial support to the right hon. Baronet in the course which he proposed taking with regard to this Motion.

Mr. OSBORNE said, the hon. Baronet who had just spoken seemed to think that hanging formed an essential part of the constitution of this country. It reminded him of the anecdote told of a man who was cast upon the shore of a strange country, and who, on seeing a gallows, cried out, "Thank God that I am in a constitutional and civilised country." He thought that the House owed much to the hon. Member for Dumfries, for the great trouble which he had taken with regard to this question; because if they sat there for any object, it should be to make their fellow-creatures more happy, and to benefit their condition. He, however, should say that he was not fully prepared to agree with the hon. Gentleman altogether as to the extent to which he proposed repealing the punishment of death, though he could not see why a difference of opinion as to details formed any possible reason why the House should not allow the hon. Gentleman to bring in a Bill which might do something to render the law of this country more humane than it now was. He objected to public executions. He thought the spectacle which occurred the other day at Clonmel, was a strong argument against their continuance. Three men were sentenced to be hanged, and the execution was said to have been performed by a man who was the approver against them on the trial. This man came forward before an enormous mob who had assembled on the occasion, and regardless of their execrations proceeded deliberately to soap the rope, and to go through the other horrid details of his office. He was seized by one of the wretched convicts, and actually thrown over the rails, and remained for some time clinging to them; and there could have been little doubt but that his life would have been sacrificed, were it not for the exertions of the Roman Catholic clergyman who was present. For an entire quarter of an hour, while this scene lasted, the other unfortunate wretch was waiting his fate. What was the impression which such a scene must have produced on the multitude below? The men, though guilty of great crimes, had the sympathy of the crowd, who rushed forward in order to rescue them; and there was little doubt but that if they had got the hangman into their hands, they would have sacrificed him on the spot. In London, executions were attended by women, children, and pickpockets; and the latter made their richest harvest at such places. He thought the time had arrived when they should consider whether capital punishments, if retained, ought not to take place within the walls of the gaol, in the presence of officers appointed to attend them. He begged respectfully to throw out the suggestion as one well worthy the attention of Her Majesty's Government. He admitted that he had some doubt whether the time had arrived for doing away with capital punishments altogether; but still he thought that the hon. Member for Dumfries was deserving of the thanks of the House for bringing the question before them.

MR. LENNARD said, that the result of the abolition of capital punishments had, so far as it had gone, been satisfactory; but the House was now called upon to legislate upon different principles, and it was questionable whether the same arguments that applied to offences against property would apply to those against life. There was too much reason to believe that innocent persons had suffered from incorrect but honest verdicts; and, if that occurred, be it ever so seldom, it was an argument in favour of a substitute for the punishment of death, if an efficient one could be found. His hon. Friend had one argument, which ought to carry with it great weight, in favour of his Motion. In the case of a man unjustly convicted of murder, and afterwards executed, they placed it out of their power to remedy the wrong on his innocence being eventually proved; but if capital punishment were done away with, they would retain in their hands the opportunity of reversing the mistaken sentence, and of restoring him to his position in life. He referred to the dreadful assassinations which disgraced Ireland as furnishing them with the most palpable evidence of the inutility of capital punishment as deterring from the commission of crime; and he thought that if by their legislation they evinced that reverence for human life that they would not execute the most hardened of offenders, they would be taking the most direct means to educate the people up to the same standard of morality. It was well known that among juries called upon to decide in murder cases, there existed a nervous disposition to avoid the verdict of "guilty," by finding the prisoner "insane;" and when this feeling was prevalent among the class from which juries were taken, the Legislature was called upon to interfere. He considered that, at any rate, the experiment ought to be tried for a time; it could not do much evil, and it might be productive of much good by satisfying the whole community as to what would be the effect of a permanent departure from the existing code. He had great pleasure in supporting the Motion of his hon. Friend.

ALDERMAN SIDNEY had been in communication with Mr. Cope, the governor of Newgate, who had informed him, that in his fifteen years' experience he had never known but one criminal hanged for murder who had not witnessed an execution. He had paid some attention to the motives which led to these horrible crimes; and he attributed many of them to the fact that the perpetrators had been frequent witnesses of public executions. There were many cases which proved this. For instance, Connor was present at the execution of Tapping, and on the following Monday deliberately murdered the woman with whom he cohabited, for some trifling offence. Again, T. W. Wicks paid *2s. 6d.* for a seat to witness the execution of Connor, and had witnessed every execution in the city for several years; and he went, in the coolest possible manner, and shot his master for stopping some few shillings of his wages. If hon. Members had ever undertaken the painful duty of examining the tumultuous crowds which stationed themselves around Newgate on the morning of an execution, they would no longer doubt the inefficacy of those dreadful spectacles as an example. In courts of justice, when the awful sentence of death was passed, he had seen the Judge, the counsel, the jury, and, indeed, the whole court, dissolved in tears; but the spectators who witnessed the death of the criminal were in a state of licentious riot during the whole scene. At the request of Tapping he had attended him to the scaffold. That malefactor, up to that moment, had made no confession of his guilt; and when he appeared, he was received with waving of hats and cheers, and as much token of approval as a successful candidate at a city election. He went afterwards among the mob, and heard the conversation which took place at the foot of the scaffold, and there he found every species of ribaldry going on, and every kind of assignation in which vice and crime rejoice, were made there by persons unmoved by the awful spectacle above. The vast importance of this question would be perceived, if it were remembered what a large number of persons perished by the sentence of the law. In the twenty years ending with 1833, 1,597 persons were executed in England; and in London, from the year 1825 to 1830, no fewer than 105. In 1840 to 1845, the number was reduced to five only. When, therefore, in addition to this fact, experience showed him, that with this diminution of capital punishments, offences of a frightful nature had greatly diminished, he could not but regret that the right hon. Baronet opposite had thought it consistent with his duty to oppose the introduction of this Bill. He would not go into the scriptural argument; but he believed that the sword was given to the hands of the magistrate to exercise at his peril. He believed this was simply a question of expediency, and that the sentence of death might be abolished with perfect safety. The returns of the Central Criminal Court might be taken as a fair sample of the whole criminal returns of the kingdom; more than a quarter of the whole number transported from this country received their sentences at that court; and he would, therefore, refer for a moment to those returns. In 1840, the committals were 3,240, and the number transported 218; in 1841, the committals were 3,369, and the transportations 745; in 1842, the committals were 3,763, and the transportations 719; in 1843, the committals were 3,753, and the transportations 727; in 1844, the committals were 3,079, and the transportations 527; in 1845, the committals were 3,253, and the transportations 459; and in 1846, the committals were 3,701, and the transportations 448. Thus it appeared, that in 1846, the number of transportations had decreased nearly one-half, the numbers being in 1840, 918; and in 1846, 448. The hon. Gentleman, in conclusion, intimated his intention to vote for the Motion of the hon. Gentleman the Member for Dumfries, and expressed a hope that if the Government persisted in their opposition upon this occasion, that they would, at some future and not remote period, sanction the principle of the abolition of capital punishment.

Mr. ROMILLY expressed his approbation of the motives which for several years had prompted the hon. Member for Dumfries to persevere with this question. The punishment of death was certainly limited, in practice, to cases of murder; but there were a number of offences to which it was still attached, for which the offender was liable to death. In all those cases the Legislature would act wisely in making the law conform to the practice by removing the capital punishment from the Statute-book; but the crime of wilful and deliberate murder stood upon a different footing. If death were not inflicted for wilful and deliberate murder, that crime would of necessity increase, because of all others it most completely destroyed the evidence of guilt. He was not prepared, therefore, to go along with the hon. Member in the measure he proposed for the purpose of taking away the punishment of death in all cases, including wilful and deliberate murder; but in all cases short of that, he fully concurred in the proposition. Under these circumstances, he would suggest to the hon. Member the expediency of withdrawing the Motion, in order that when the measure which the right hon. Baronet intended to move was in Committee, amendments might be introduced which would meet the views which he had urged with so much force. He might add some observations on the disgraceful scenes at the exhibitions (for they were nothing more) which usually occurred at public executions; but he would only ask, whether it would not be wise to enact that no execution should take place in public. He was convinced that a knowledge of the fact that the offence of murder would be followed by the punishment of death, would have great effect in preventing crimes of this description; and he also believed, that those who witnessed the dying struggles were not the most deeply impressed with the scene. The fact was, public executions were exhibitions of a most demoralising character; but if, as soon as sentence was pronounced, the criminal were taken back into prison, and it was universally known that that was the last moment he would ever appear alive in public, the result of such knowledge would be much more effectual in the way of terror to evil-doers than any public execution whatever.

Sir G. GREY said, that in order to prevent any misapprehension, he would again state, that a Bill had been prepared to assimilate the law to the existing practice; and in speaking of cases of wilful and deliberate murder, he meant to include cases such as the intended assassination—though it was not actually effected of Mr. Uniacke Bailey.

Lord NUGENT said, agreeing in much of what had fallen from the hon. and learned Gentleman (Mr. Romilly), to whose authority on such subjects his hereditary name gave additional consideration, strengthened, might he be allowed to say, by what must always be to himself (Lord Nugent's) most affectionate remembrances, he could not agree with him in recommending the hon. Member for Dumfries to take the offer of his right hon. Friend (Sir G. Grey), and to withdraw his Motion, for the sake of the chance of prevailing upon the Committee on the right hon. Baronet's Bill to adopt the principle of the great measure he had brought before the House that night. In the first place, he doubted whether he could make up his mind, or arrive at a conviction, to vote the affirmative with his right hon. Friend, that it was desirable to read any Bill the second time, the object of which might be to retain in any of its provisions the punishment of death; and, in the next place, it would not be an advantageous mode of recommending the great principle to the House, if it were to end in inducing the Committee to retain in such a Bill a clause including such a punishment. The hon. Gentleman (Mr. Ewart) had brought before the House the statistics of the effect which always and everywhere, as far as statistics could be obtained, the punishment of death had had in increasing instead of diminishing the prevalence of great and atrocious offences. From the Porcian law of the Romans—commended by Julius Cæsar, extolled by Cicero, and by Seneca, suspended by the Triumvirs, and abolished by the Emperors, and, with it, all respect and all security for human life—again, from the example of the Tuscan Code, which for twenty years ruled that people without a capital punishment, and almost to the extinction of all crimes of violence, until repealed by the French conquerors of Italy, when assassinations again and instantly began to prevail—to our own experience in our own country of the abatement of all crimes successively from which the death punishment has been withdrawn—he had shown that, everywhere, and always, crimes of violence had increased in proportion to the violence of punishment, and decreased in the ratio of its moderation. He knew it had been said that within the last five years some crimes, in respect to which the punishment of death had been abolished, had increased. He was well aware of Mr. Redgrave's last two years' returns, and begged attention to them, as powerfully supporting the hon. Mover's argument. What did they show? Prosecutions and convictions for the crime of violence against the other sex, had, it seemed, increased; but he held this fact to be a most valuable admission in their (the abolitionists') favour. What did it show? That prosecutions and convictions, whilst the punishment of death was affixed to the offence, were rare; and as soon as capital punishment was repealed, prosecutions and convictions became more frequent, because all reluctance on the part of the injured party was removed, and attorneys ceased to recommend, as they generally did before, a prosecution for the lesser offence, knowing the disinclination of juries to convict for the capital offence. "But there is another crime, and but one other, which, by these returns, appears to be on the increase; and, I pray you, mark it—whilst all others have decreased from which the death punishment has been removed—the offence of shooting or stabbing, with intent to kill. What is this but the attempt to commit the only crime for which the death punishment is practically retained?" He put this offence in the same category as successful attempts to murder; and if there had been an increase in attempts to murder, notwithstanding the punishment of death, so much, then, in further proof that capital punishment did not deter from the crime of murder. He would not refer to authorities — Sir Samuel Romilly, Sir W. Grant, Sir James Mackintosh—all of whom maintained that the punishment of death was inefficacious to prevent crime; but he should go at once to fresh and recent evidence, contained in reports of some of the most distinguished practical lawyers in this country. He would take the second report of the Lords' Committee on Criminal Law now before him. It did appear strange, that whilst this great question had made progress in two of the States of America—whilst it was acted upon in the Grand Duchy of Tuscany and in Baden—was in balance in Prussia, and almost adopted in Bavaria, and, he believed, in Belgium—and in Sweden was under discussion (thanks to the invaluable work, shedding glory how much brighter than the crown he wears upon the present King of Sweden, whom God long preserve for the happiness of his own country, and an example of wisdom to other rulers!) with a view to the abolition of the punishment of death, it should have been treated of so shortly, so succinctly, and so lightly, as in four lines of this report. But what did those four lines say?—

> "Respecting the expediency of abolishing capital punishments we have found scarcely any difference of opinion; almost all the witnesses agree in opinion that, for offences of the gravest kind, the punishment of death ought to be retained."

In that second report he found only four witnesses filling judicial offices, out of a large number to whom that question had been suggested. Mr. Baron Platt and Mr. Serjeant D'Oyley gave their opinion distinctly in favour of retaining the punishment, and they alone. But he turned to the opinion of no less an authority than the Lord Chief Justice of the Common Pleas; and what said that great and eminent Judge? He begged the House to mark it:—

> "This question involves considerations much too grave to warrant a hasty opinion, however great may be the objections to the punishment of death, and, in my opinion, they are very great."

Could any learned Judge, he asked, have given, in all the circumstances of that eminent man's position, a more distinct or conclusive testimony? "However great may be the objections—and in my opinion they are very great!" He (Lord Nugent) knew not, nor did he wish to know, by what hand this second report to the Lords was drawn up. But he left the value of that report to be judged of by the House; when, in the face of that evidence, the writer permits himself to say—

> "We have found scarce any difference of opinion. Almost all the witnesses agree in opinion that for offences of the gravest kind the punishment of death ought to be retained."

He rejoiced, at all events, that to such a report was appended the evidence on which it was founded. He (Lord Nugent) was aware of the difficulty and delicacy of putting a question as to the abolition of the punishment of death to a Judge holding a seat upon the bench of a criminal court. A Judge could not be fairly asked his opinion upon such a subject, liable, afterwards, to sit in judgment in a capital case, at the mercy of every advantage which the counsel for the defence would not fail, in duty to his client, to take—appealed to by the prisoner, on whom he must, according to law, pass sentence of that awful and irrevocable penalty, which, peradventure, in another place, he had declared it to be his opinion, no longer answered the purpose of its institution, and, therefore, must be utterly unjustifiable. But, in the first report, Judges had given their opinions, and much stronger opinions. Mr. Justice Coltman said, he was disposed to think that imprisonment for life, without any hope of a remission of the sentence, might be beneficially substituted for capital punishment. The learned Judge further said, that he did not think the apprehension of the punishment of death operated much upon the minds of men who contemplated the commission of the crime. The Lord Chief Justice of England, your first and highest criminal Judge, Lord Chief Justice Denman said—

> "I have not yet sufficiently considered the queestion to be able to come to a decisive judgment upon it."

An answer, from one placed and charged with such duties, well befitting the discretion, gravity, high feeling, and lofty integrity of that excellent and admirable man. He felt the question to be one unfit to be propounded to him, and, with his characteristic propriety and quick sense of duty, declined to give an opinion upon it. The opinion of Mr. Justice Wightman was also one which he might cite—it was not so strong against the punishment of death as those to which he had previously referred, but it nevertheless was clear and decisive. In the evidence appended to the first report, there was the evidence of eight persons holding high judicial offices; and yet, disregarding the opinions of those eight eminent persons, the Committee ventured to tell the House they had scarcely any difficulty in declaring that the punishment of death could not be relaxed. Looking then at the known humanity of the Judges—looking at the mercy of the Crown, acting under the advice of his right hon. Friend opposite—looking at the mitigations which the influence of public opinion had effected, he still could not help observing that the best position in which the law could stand would be that of bearing a character for certainty and sternness, marked, however, by mildness, and checking the crime at the least practicable amount of suffering to the offender. Further he would say, that the character of those who administered the law, ought to be one of severe and inexorable obedience to that law. At present the law was sanguinary; but the Judge and the Crown were most merciful in its administration; and, in every instance where mercy interposing casts its bias into the scales in which criminal justice has weighed the case, the Judge—the Home Secretary, and the Crown, give sentence of remission to the offender, and of condemnation upon the law. The best conceivable state of criminal justice is that in which the law is as mild and merciful as is consistent with its duty of protection to the public—but the ministers of the law inflexible, inexorable, in their obedient administration of it. Here the plain maxim is inverted. The law, fierce and inconsiderate—the Minister, ever anxious to thwart, where practicable, the overmuch fierceness of the law. It was a trite and ordinary remark, very often made, that there must be something wrong in a system of legislation when those whose duty it was to administer it, performed that duty with feelings of disgust and horror. Judges were always in this country looked up to with the utmost reverence — and may they ever be so! The sheriff, whose duty it was to carry out the judgment of the court, was also a person of worship and of high authority; but the sordid and degraded hangman—he who executes what the judge has enjoined, and is in the exetion but the vicarious minister of the sheriff's appointed duty — a man forbid, outcast, and excommunicated for the act—for that act becomes a being with whom the meanest wretch upon the streets would not, for his reputation's sake, break bread. Nothing plainer than this trite maxim—let it not be a dishonour to perform what it is righteous to enjoin. But here you are ever dissembling your partnership in the act, and disguising and veiling the example which you profess to be one of public good. If the example be good, why draw the cap over the sufferer's face? Nay. The death struggle, the suffering, are parts of the public example. But, here, for very decency's sake, to spare the hideous outrage on humanity and morals, you draw a veil over the loathsome act you are performing. You tell the people you are doing what it were unfit for human eyes to witness; and you call this public example! You talk, forsooth, of executing a man. You do not execute the man. You execute the law. You kill the man. You murder even your language to dissemble your act. He would repeat, that the general feeling of mankind was opposed to the punishment of death. When a culprit appeared upon the scaffold his crime was almost forgotten; and it could not be denied that the legislators, the judges, and the executive authorities of this country had never taken any pains to render the criminal law either certain or uniform. Not a moment ought to be lost in at least rendering it certain. The principle of gambling ought at once to be taken out of it; and the guilty ought no longer to be sustained by calculations of impunity or the influence of public sympathy. His right hon. Friend opposite seemed to attach some importance to the manner in which the punishment of death operated as an example; the supporters of the punishment very frankly admitted that it produced no good effect upon those who were the actual spectators of the dreadful scene called an execution, but that it had an indirect effect upon the population at large through the publicity which newspapers gave to the history of such events. We are then to cull the example and communicate it to our children and household, by reading attentively the details of what it is a wound to public morals to witness. Read the tragedy, for example's sake, which it would be contamination to see enacted. He understood there was a penny theatre—he believed in York—but if misinformed respecting the locality, he begged pardon of that splendid city—there could, however, be no doubt of the fact that there was a penny theatre in which the likeness of a man was hanged, clad in the clothes—warranted to be really the clothes—worn by a person who had been hanged; and, for the purposes of that dramatic execution, a man was employed to hang the effigy of the supposed culprit, warranted to be the same man who had hanged the original offender. The most awful consideration connected with this subject yet remained to be noticed, and he purposely reserved it for the last; it was the irrevocable nature of the punishment. No truth could be more evident or more practically important than this, that an irrevocable punishment was incompatible with the notion of a fallible tribunal. This was no fanciful hypothesis. It was a grim truth from which they could not escape. It appeared from the evidence taken before Sir James Mackintosh's Committee on the Criminal Laws, that during a cycle of many years, when capital executions were much more frequent, on a careful average, one person in every three years had suffered capital punishment whose innocence had been subsequently proved. The fact established before this House, much later, but seven years ago, by Sir Fitzroy Kelly, was yet more frightful—that during the last fifty years as many as forty-one persons had been executed whose innocence had been discovered too late. It appeared that the lives of as many as five persons had been saved through the exertions of Mr. Sheriff Wilde; of whom that excellent and able Judge, Chief Baron Pollock, says before the Lords' Committee, that he had reason to be convinced that three were entirely innocent. Attention had recently been called to the case of Michael Howard, in Limerick, who had escaped by mere accident. By mere accident he had been saved from being added as one more to the blaak catalogue of those who, too late, had been found to have been sacrificed to the error of a fallible tribunal usurping the prerogative of the Infallible, in whose hands alone can justly rest the infliction of irreparable, irremediable punishment. Upon the Legislature of England a deep and heavy responsibility rested—a cry of innocent blood rose up against them. It was no forced gloss on the words, "Vengeance belongeth unto God," to say that they formed a phrase of high importance in the present discussion. Vengeance belonged alone to that tribunal whose decision could neither be gainsayed nor questioned. He well remembered that Members of that House had often said murder could not be effectually stayed without the aid of capital punishment; but such hon. Members were bound to show that no other punishment would be efficacious—that the death punishment did tend to repress murder—and that, even if so (which all statistics disproved), murder could not be as effectually or more effectually staunched, that at the expense of the paradox which would teach respect for human life by the publicly violating of its sanctuary—the *onus probandi* rested upon them. He conjured them to remember that the responsibility rested on their votes; and, above all, not to think they could innocently defer the repeal to a further day; that if, peradventure, they should find they had been wrong, with them rested the great blood-guiltiness of delay. In the present age we looked back with horror and wonder at the severities practised by our ancestors; and the next generation would regard with equal astonishment the legislators of these times. He hoped, however, that the period was not distant when the punishment of death would be abolished; and he doubted not that, in very few years from that time, we, or those who came after us, would look back with as much horror and astonishment at the present state of the law, as we at the death punishments of private stealing, shoplifting, cattle stealing, and forgery, which we and our fathers, thirty years ago, looked upon with the same complacency and sense of their fitness with which men now (as good and humane as they, and not more so), cry out for the compensation of blood for blood. He hoped that the vote of that night would give the country an assurance that capital punishments would be speedily abolished.

Sir R. H. INGLIS, though he rejoiced at the reappearance in that House of the noble Lord who spoke last, yet differed from him on many points. Their attention had been called to the opinions delivered hy more than one Judge respecting the punishment of death. He did not inquire who put these questions; he did not ask whether any one put them, being himself a Judge; but he thought that such interrogatories must have proceeded from one who had not well considered the responsibility of the judicial character. The proposition referred to the whole empire; and, therefore, it ought to be remembered that Scottish and Irish Judges had given evidence on the subject, and their opinions were certainly in favour of retaining capital punishment in certain cases. They certainly were opposed to any statutory changes in the law upon this subject. Amongst the minor observations which fell from the noble Lord, there was a complaint against lawyers for mutilating the English language. He was surprised to hear a scholar like the noble Lord say that "kill" and "execute" might not be used as synonymes. He was almost ashamed to pursue such a trifle; but, as his noble Friend had reasoned upon it, he could not help adding, that the highest authorities had so used them: Dryden had said—

> "O Tyburn! couldst thou reason and dispute,
> Then couldst thou judge as well as execute."

There were some, but he was not one of those, who, maintaining indeed the punishment of death, defended it on the ground of its necessity as an example. He defended it on a higher ground; and he took his stand on the Bible. He believed that neither his hon. Friend the Member for Dumfries, nor his right hon. Friend the Secretary of State for the Home Department, who deprecated the discussion of the theological branch of the question in that assembly, would shrink from the application of the authority in private life. Why, then, should they throw aside the argument which the word of God would supply in legislation? His hon. Friend said, indeed, last year that "the rigours of the Levitical law had been softened by the humanising influences of Christianity." He (Sir R. Inglis) contended, however, that God had not repealed that law which he gave not to his own peculiar people only, but to the whole new-replenished world, "Whoso sheddeth man's blood, by man shall his blood be shed;" the reason assigned being, "for in the image of God created He him." It was not laid down that the end of all punishment, as is now maintained by some, was the peace of society, the prevention of crime, or the reformation of the criminal: but the Scriptures said that the shedding of man's blood required the blood of man, "for in the image of God created He him." He was aware that these were solemn and sacred subjects, but they only became improper for discussion when they were either referred to in an irreverent or an improper spirit. This was not the case on the present occasion; and he thanked God that the reference had been received as he could have wished it should have been received—not with assent, perhaps, that was quite another thing, but with respect. The object of punishment, then, was not that which the philosophic legislators either of Tuscany or of this country would fain induce us to believe. He would not shrink from saying, that the object of punishment was to carry on under the authority of God's law the government of his people. This was the primary consideration: but he would admit that no legislator could properly fulfil his duty who did not seek to combine with it other considerations. Among these were the security of society, and the reformation of the criminal in cases in which the highest penalty of the law was not inflicted; but so long as he believed in the words of Scripture which he had quoted, he would be no party to any enactment which should deprive those words of the sanction of the Legislature; and with his consent man should not blot out of the statute that which he believed was commanded by the word of God. From the earliest time the legislation on this subject had been guided by Scripture authority; and he was surprised to hear the hon. Member for Middlesex ridicule the hon. Member for Shoreham for saying that it was in accordance with the principles of the constitution to inflict the punishment of death. He should have remembered that the earliest legislation of England was founded on the word of God. The laws of Alfred began by reciting the Ten Commandments; and before Alfred had proceeded ten pages, he enacted the punishment of death. Thus it appeared that this law was part of the ancient constitution, The laws relating to capital punishment had been reviewed about twenty years ago; a short time before that, he believed 200 statutes, inflicting the punishment of death for various offences, had been repealed; there had then been left about thirty or forty offences to which the punishment of death was attached. After that, about seven years ago, another deliberate review of these laws had been taken; and he had no hesitation in saying that in his opinion on that occasion the revision of these laws had been carried too far, and the punishment of death had been removed from many crimes for which it ought to have been continued; and he could not consent to any further removal of this punishment. His hon. and learned Friend the Member for Dumfries must not imagine that all who had spoken in favour of his general principle, were in favour of the total abolition of the punishment of death. The hon. and learned Member for Devonport (Mr. Romilly), who had spoken on the subject with talent and with principles worthy of his name, had said, that so far from being desirous of doing away with the punishment of death for the crime of murder, he would be unwilling to remove it from the crime of high treason. The hon. Member for Stafford, alluding to his own experience as one of the sheriffs of London and Middlesex, had expatiated on the evils of public executions. Now, those evils were not necessarily connected with the subject at present under the consideration of the House; those evils might be removed without the abolition of the punishment itself. If any hon. Member intended to propose in Committee the introduction of any clause to except certain crimes from the repeal of the punishment of death, he ought to oppose this Motion. They had twice during the debate heard the narrative of the late executions in Ireland; that matter had no more to do with the abolition of the punishment, than it had with the abolition of any minor punishment for petty larceny. It was possible to continue the punishment of death, and to divest it of all its horrors and of all its temptations to vice. Executions were now very rare. On an average of the five years from 1784 to 1789 there had been seventy-three capital executions in London and Middlesex alone; while in one week in London and Middlesex twenty-five persons had been hanged. He did not wish that the law should be again so sanguinary; he wished for the extreme penalty of the law to be mercifully administered as now it had been and would be; but still believing that the sword was not committed to the magistrate in vain, and that it was committed to the magistrate by a higher authority than any human hand, he would not consent to stigmatise all former executions of the law under any form of government whatever, by stating that he did not think it to be consistent with the word, and will, and mind of God, that such a punishment should be inflicted. On the contrary, while he adopted the view of punishment which he had stated to the House, from a serious conviction that it was the scriptural and therefore the true view, he was not insensible to the subsidiary advantages which might be connected with the administration of the law, where the extreme penalty was not involved, by measures taken for the reformation of the criminal, and the general security of society. But when he came to the question of secondary punishment, he found, as on questions of political economy, that every man's hand was against his neighbour. One man objected to transportation to a penal colony; another recalcitrated against the punishment of whipping. Another objected to solitary confinement as a secondary punishment. Many objected to the silent system. The pillory had long since been abolished. His hon. and learned Friend, when he proposed to abolish totally the punishment of death, ought to be prepared to state what other punishment he desired to inflict; and here were the difficulties of a legislative and administrative system. It was not enough that you should pull down: it was essential in legislation that you should be prepared to build up simultaneously with the work of destruction; and he hoped he did not do an injustice to his hon. and learned Friend when he said that, taking the whole of his speech, there was not one single suggestion from which he could collect an idea that he had in reserve, *in petto*, any plan which would satisfy even himself instead of the punishment he was prepared to abolish. Did he approve of those punishments which were frequently seen in other countries? His right hon. Friend had reminded the House of punishments worse than immediate death; and in point of fact ending in death, which were inflicted in Russia. Would his hon. and learned Friend propose the importation of any such punishments? Would he even propose perpetual imprisonment and solitude? Would he propose walking in the streets in gangs and in a prison dress? Many of these things had been adopted in other countries in a far different state of society. He had seen so much of other countries as to justify this general observation, that that which was good for one region of Europe, was utterly inapplicable in another. He believed that it was impossible to have criminals sweeping the streets of London. The great name of the hon. and learned Member for Devonport (Mr. Romilly) had never been connected with any proposition so extensive as the present. Believing that the hon. Member's general view of punishment was such as might satisfy perhaps a heathen moralist, but ought not to satisfy any one entrusted with the word of God, as the guide of his public and private conduct, he concurred with the Government in resisting the introduction of this measure, and cordially gave his support to his right hon. Friend.

MR. HUME said, that he had had the advantage of having heard Sir Samuel Romilly raise his voice against capital punishments; but no man now could form an idea of the comparative state of punishment now and what it was in former years. With the changes of manners crime would change, and he was satisfied that if Romilly had now lived, he would have been among the first to deprecate this punishment. His hon. Friend (Sir Robert Inglis) had taken on himself to state to the House that he was in the councils of the Almighty, who had handed down from the earliest generations the power of one man to hang another. He knew no portion of Scripture which authorised any one man to hang another. There was indeed one important passage in Scripture, which he advised his hon. Friend to take as his guide, which was, "I will have mercy, and not sacrifice." He interpreted that as strongly against the punishment of death as any passage which his hon. Friend could interpret in its favour. He had also this authority, "Thou shalt not kill;" which might be interpreted against the murderer only. The object of legislation should be to put an end to the crime of murder. In what way could that crime best be prohibited? All experience showed that it could not be prohibited by hanging up men in dozens. The first and only execution he had ever witnessed at Newgate was where, unfortunately, twenty individuals were hung at one time, and on inquiry he found that it was for crimes which had now been blotted entirely out of the Statute-book. This fact had always struck him forcibly, that wherever life was held cheap by the public authorities, in that country life was held cheap by the populace; and the best way to protect the lives of our countrymen was to render exhibitions of death as scarce as possible. No power on earth could prevent murder occasionally taking place; but all history would support him, that where executions had been frequent, reckless assassination and murder was a matter of course. When the punishment of flogging was attacked, officers who were accustomed to inflict that punishment held that it was impossible order and discipline could be preserved without it. We had already witnessed the good effects of the ameliorations which had taken place; and he had heard with satisfaction the Secretary at War and the noble Duke (the Duke of Wellington) declare that they expected to see flogging altogether removed. In the Navy we had gained thousands of citizens who would have been ruined if the former system had continued. He recollected hearing it stated by Sir Samuel Romilly, that at one time eighty-five crimes were subjected to capital punishment. Did the calendars show any increase of crime since its abolition? On the contrary, he believed that society had improved. When the hon. Gentleman who was in power, and the hon. and learned Member for Devonport, declared that all public executions were in themselves evils; let their statement be compared with the statement that these executions were as examples to deter others. He was satisfied that every execution for murder led to similar acts. It was well known to those who had observed events in this country, that one murder of great atrocity was generally followed by others of a similar character. As to executions in secret, which some had advocated, they degenerated into acts of revenge. He approved of the discussion of this matter, which he thought would be soon attended with the best possible results, in the complete extinction of these sanguinary laws.

Mr. W. P. WOOD would not enter into what was called the theological view of the subject; it was sufficient for him to say, that he differed from the hon. Member for Dumfries as to the infliction of the punishment of death for the crime of murder, thinking, as a Christian, that there were sufficient authorities for the magistrate to bear the sword for that purpose. This subject was one which, above all others, required to be considered most dispassionately, and with a just frame and temper of mind, because he believed that our good feelings were extremely likely to lead us astray. He was happy to hear his hon. and learned Friend the Member for Devonport say that he had in view, as a primary object, the sacredness of human life. He looked upon that as the great object which they ought to have in view in considering this question; and, taking that view, they would be led to a contrary conclusion from that to which the hon. Member for Dumfries had arrived. They were asked by the noble Lord the Member for Aylesbury not to arrive at a conclusion, unless it was one they had deeply reflected upon. He could not pretend to be able to form an opinion on the subject in the manner in which that opinion was formed by such men as Romilly and Mackintosh; but he could say, that from an extremely early period his attention had been turned to this subject, and he had never lost sight of it. From an early period he had been led to hear the trials at the Old Bailey, and was extremely shocked at that early period with the frightful state of our criminal law. It had occurred to him to observe at the Old Bailey seventy criminals receive judgment of death at one time, it being perfectly certain that judgment would not be executed upon more than seven or eight; and he could perceive the gestures of contempt and scorn which the remainder were exhibiting to the Judge. At a later period, in 1826, he was about to visit a sick person in the city of London, and, passing by the end of the Old Bailey, he saw a scaffold prepared for six criminals. He visited that sick person, who said, amongst other things, " It is hard to die at twenty-four." He looked the next morning at the paper with some anxiety to see who were the criminals for whom the scaffold was prepared, and found that one was a young woman, and the other five young men, all under twenty-four, who had not committed any crime attended with murder. In the following year he was delighted by the introduction of the Bill of Sir Robert Peel, reducing the number of crimes for which capital punishment was inflicted; but there still remained an extraordinary number of cases in which the punishment was unrepealed. The Bill applied to crimes against property, and to none against the person; yet of the former class, seventeen (as we understood) were still punished capitally. He remembered having been much struck at the time with the slow progress of legislation on that subject. It having been formerly a capital offence to steal property of the value of 40*s.* in a dwelling-house, the only alteration made by the Bill was that of raising the amount to 5*l.* He had noted down at the period the various offences for which capital punishment was inflicted, and he found that the whole amounted to twenty-three or twenty-four. At that time but little interest was felt in such questions as that before the House. Since the reform of Parliament a very great change had taken place, and the subject had been frequently brought before the House, because the community at large felt a deep interest in it. Now, having bestowed his best attention on the whole matter under consideration from a very early period—having read almost every English publication which treated of it, and a great many works of foreign writers—he must confess that he had come to the conclusion that capital punishment ought not to be abolished in reference to the crime of murder. The grounds upon which he had arrived at this conclusion he would briefly state. It was true that the vindictive element of punishment should be eliminated; but not a single argument had been advanced against the right of the State to protect the lives of its subjects in the most effectual manner; and while they were not fettered by any theological considerations in adopting the most effectual method of protecting life, he had at the same time arrived at the conclusion that there was no method so effectual as that of capital punishment. In the prevention of crime there were two points to be considered, though but too frequently only one of them was contemplated. It was desirable to prevent crime, not merely for the sake of the community at large, but also with a view to the promotion of the moral welfare of the classes who were most prone to its commission. They had to devise a mode of punishment which would so terrify those who were criminally disposed as to prevent them entering upon a career of crime. There was a class of persons who—chiefly, perhaps, from their not having been rightly educated—were not open to any other influences than those of terror; and that being the case, he maintained that the infliction of the punishment of death was consonant with the best feelings of humanity. In dealing with that question he would not refer to Scripture; but he might observe, that when a subject of the most awful description was being treated by one of the greatest poets that the world had seen — he meant Dante — an inscription was affixed to the gates of a place of hopeless and eternal punishment, which appeared to him to convey a great and sublime thought:—

> " I was created by the Almighty Power,
> The highest Wisdom and primeval Love."

Now, if they believed future punishment to be consistent with the Divine love, they must also believe it to be consistent with the sincerest and most earnest love to man, to deter him, by means of threatened punishment, from the commission of crime. The revulsion of feeling which had followed the Draco-like code that formerly existed in this country, now made numbers shrink from lawful and proper modes of punishment. He could not help remarking, that since the trials and convictions which had recently taken place in Ireland, they had not heard of a single case of assassination in that country. There had recently been alarming exhibitions of public feeling in reference to capital punishment. They had seen instances in which prisoners convicted of the most atrocious crimes had been recommended to mercy. There was one case of the kind which he should never forget. It occurred at Chester, and was that of a young woman who, having murdered her own father because he opposed her marriage to a particular individual, was recommended to mercy by a reverend prelate of the Church. The principal ground for mercy stated in the petition was, that the criminal had been a Sunday-school teacher. He was not sure whether or not the petition proceeded to say that she might possibly be useful afterwards in that capacity. To him it appeared most revolting that a person who had been convinced of such a gross crime, should meet with sympathy. He believed that the evil arose in a great degree from the habit of attracting so much attention to public criminals. If a similar display were made in the case of a murdered man—if his widow and orphan children were seen walking publicly to the grave in all the misery to which they had been reduced—public feeling would be equally excited against the criminal, and he would possess no power of attracting sympathy. Neither feeling, however, could be wholesome. He had no desire to witness exhibitions similar to that which had taken place on the occasion of a French trial, when the dead body of a murdered husband was exhumed and placed in the next room to that occupied by the wife who was supposed to have committed the crime. The only effect of such scenes must be, to produce feelings of execration like those expressed two or three weeks ago, when a yell of satisfaction attended a criminal to the scaffold. He disapproved of religious exhibitions, and of visits paid by ladies to the condemned; and he agreed with his hon. and learned Friend the Member for Devonport, that when a man had been condemned, he should at once walk from the dock and never be heard of again, except through a certificate from the proper authorities, declaring that the sentence had been duly executed. One ground of objection to capital punishment had been most powerfully put by the noble Lord the Member for Aylesbury. That noble Lord had spoken of the irrevocable nature of such punishments, and of the fallibility of man's judgment. That, no doubt, was an awful consideration. But there were many occasions in life in which persons were called upon to incur serious responsibilities. How often, for example, in times of trouble and disturbance, was a responsibility of that kind necessarily assumed by the magistrate? With regard to the number of innocent persons who were stated to have been executed, he apprehended that if the fifty-one instances alleged were sifted, it would be found that they did not embrace many cases of murder. And, on the other hand, let it be remembered how many murderers escaped, from the impossibility of detecting the crime, or because jurors were unwilling to convict on circumstantial evidence. Of late years, indeed, there had been many apparent interpositions of Providence, affording a clue to the criminal. Yet, how nearly had the prosecution failed in Thurtell's case; while in that of Courvoisier, down to the last day of trial, conviction appeared uncertain. Could any one doubt that if persons of hardened character found that the crime of robbery was most likely to be effectually screened by their taking a step beyond, that step would frequently be taken? The minds of such persons could only be acted upon, he believed, by means of terror. For these reasons he had come to the determination not to support the Bill of the hon. Member for Dumfries, in reference to the present punishment for murder; and, believing that what the hon. Gentleman desired was an expression of opinion on the subject, he should waive the usual form with regard to the introduction of Bills, and vote against the Motion before the House.

Mr. BRIGHT said, that notwithstanding that for some period during that evening there had been but a thin attendance of the Members of that House, yet he thought he was able to discover that there was a stronger interest felt in the present discussion than there had been during some of the past years, when the hon. Member for Dumfries brought the question before the House. And if he had any doubt as to the increasing interest in the House, he was sure there could be none as to the increasing interest without the walls of Parliament. He was perfectly certain that from the right hon. Gentleman the Secretary of State for the Home Department, to any Member who might have formed an opinion on this question, there would be a universal admission, that whether the abolition of capital punishments was in the abstract right or wrong, this question was one which was making extraordinary progress in the public mind—and was proceeding to that final and complete fulfilment which had attended many other questions which had been brought before that House, and supported year after year, for a time, by very small minorities. They had not been charged upon this occasion, at least to any great extent, with "morbid feelings and sickly sentimentality," in advocating the view which they took upon this question. It had been said by the hon. and learned Gentleman who had just sat down, and by some others who had preceded him, that he thought there was a revulsion of feeling, and that the interest taken upon this question at present was in that direction which was but the natural reaction resulting from the operation of a sanguinary code of laws which existed in this country some years ago. Now, he was of a directly contrary opinion. He believed that the feeling which now existed was but an increase of that feeling which was created by the revered Father of the hon. and learned Member for Devonport (Mr. Romilly), and by other Gentlemen who acted with him during his life-time. The hon. Baronet the Member for the University of Oxford had, he thought, developed the foundation of his policy to that House: he expressed his gratification that the hon. and learned Member had not gone any further than his father. Well, he (Mr. Bright) should like to know what ancestor of the hon. Baronet the hon. Baronet had gone beyond in the progress of his political opinions? The hon. Baronet the Member for the University of Oxford was consistently opposed to the abolition of the punishment of death; he opposed it upon grounds which he (Mr. Bright) believed were not rested upon by any hon. Member of that House, at least by any hon. Member who had spoken that night. He would not make any answer to what he said with regard to the theological part of the question, if there were such a part; for the House, by such arguments, did more, in his opinion, to overthrow all faith in that New Testament, that new covenant which was made to our race, than could be done almost by any other line of argument, or by any other conduct that it could pursue. He rejoiced unfeignedly that the sentiments which prevailed in Oxford (if the hon. Baronet were the true representative of those sentiments) were not entertained by the great mass of the thinking population of this country. The hon. Baronet, he believed, declared his honest and conscientious convictions; but he (Mr. Bright) did not believe that they were participated in by any large portion of the population of this kingdom. He was of opinion that this punishment of death did not convey the awful threats that many supposed it did to that condition of men by whom crimes of this grievous nature were committed; even the threat of eternal punishment which every week was held over men's heads from the 20,000 pulpits of this kingdom did not deter them from the commission of vice and crime of every conceivable character. And yet it was supposed by Gentlemen in that House that the threat of punishment—a threat which was so vague and uncertain, ay, probably much more vague and uncertain than the threat of eternal punishment—they thought that such a threat would prevent the commission of crimes by men of exciteable minds, who were left altogether in a state of uncertainty as to the consequences of their crimes. But he would not go into an abstract discussion of this question; he would rather consider the question with regard to the condition of this country at the present time. Punishment was now inflicted, notwithstanding that the law did not say so expressly, only for the crime of murder. Now he asked the right hon. Baronet the Secretary of State for the Home Department to give his attention for a little time till he laid before him what appeared to him, apart from the abstract part of the question, the most complete condemnation that could be produced of the law as it now exists. The law was uncertain, irregular, and unjust to a degree which could not be imputed to any other law which was upon the Statute-book of this country. For example, let the right hon. Gentleman turn his attention to the columns of the daily newspapers at the time of the assizes, and he would see how criminals were tried for murders—murders apparently differing in no respect from each other in criminality—and yet the amount of punishment was as different as sudden death was from prolonged existence. He recollected a few years ago there was a case in Somersetshire—tried, he believed, at Taunton—in which two sisters of the name of Seeley, if he was not mistaken—he spoke from memory—were tried for the frightful crime of murdering their own relatives. He believed they had poisoned two, if not three, of their nearest relatives. There was not a human being in court that was not thoroughly convinced of their guilt; there was not a shadow of a ground for a verdict of exculpation on the part of the jury; and yet, so abhorrent to that jury was the idea of sending two girls, sisters, to the scaffold, that they brought in a verdict of "Not Guilty," in defiance of the evidence; and he had it from, he believed, a gentleman concerned in the trial for the prosecution, that a subscription was afterwards made to send those two young women out of the country. Where they now were, he (Mr. Bright) knew not; but at any rate, he held it to be a crime against society that those two individuals were permitted, in the face of divine, and he thought of all human law, to be set free upon the world again to commit, it might be, similar crimes, and to contaminate the society in which they might move. Well, now there were, he was going to say, a score of cases since then, two or three of which he would submit to the House. There was the case of the man who committed murder not long ago at the Guildhall Coffee-house. The hon. Member for Stafford (Alderman Sidney), if he recollected rightly, was instrumental in making strong applications to the Government for the respite of that prisoner. And what were the facts of the case? The man, for a provocation that could scarcely be considered a provocation at all—indeed, he believed there was no evidence of any provocation whatever—cut the throat of his fellow-servant. He was tried and convicted. He did not deny the crime at all—there was not a doubt of his guilt. Intercession was made on his behalf to the Secretary of State, by sheriffs, aldermen—[Mr. Alderman HUMPHERY: Order, order!]—and other humane individuals. He was extremely sorry that the hon. Member (Mr. Alderman Humphery) should consider it an imputation on an alderman to come forward in so humane a work. At any rate, the criminal was respited. Now, he asked upon what ground was that? If this punishment of death was intended to put down those ebullitions of passion by which murders were committed—if it was to be held out as a terror to men of ungovernable temper, he contended that this was precisely a case in which the application of this punishment was likely to have a beneficial effect. There was a murder committed not long ago down in Worcestershire—the murder of Lord Coventry's gamekeeper. There were eight or ten persons tried for that. It was, he believed, one of the most barbarous murders that had ever been committed; there was no doubt of the guilt of the parties; and yet he had it from a lawyer who was engaged upon the trial, that, in consequence of the aversion which the jury had to the punishment of death, this gang of murderers was not convicted of the capital but of a secondary offence, for which they were sentenced to transportation. But he now came down to the last assizes; and he asked the right hon. Gentleman (Sir G. Grey) to pay attention to this subject. There was a case of murder at Liverpool; there was one of the male prisoners from the neighbourhood of Bolton who was charged with killing his wife. He (Mr. Bright) never heard a more barbarous, more unjustifiable, or inexcusable case. And yet, without any reason being assigned, so far as appeared from the public journals, this man did not suffer the extreme sentence of the law. Going to York, they found two men tried for one of the most frightful murders ever committed in this country. Both of them were convicted, and both were sentenced to be hanged. One of them confessed, and upon his conviction and his denial of guilt he was not hanged. And yet, although from the evidence it appeared that this man had committed three murders, he was respited, and not executed. At the previous assizes three men had been tried at York for a murder committed in the county of Durham—he believed in Bishop Auckland. A verdict of not guilty of murder was brought in by the jury, who could not bear the thought of sending three men to the scaffold together. Those three individuals were tried again upon almost the same evidence; they were convicted of robbery, and sentenced to fifteen years' transportation; the highest punishment to which on that indictment they could be subjected. Well, he asked the right hon. Gentleman to look at another case—that which had occurred at Maidstone, where a man was indicted for poisoning his wife. He did not say that the man was guilty; but it appeared from the public papers that the authorities at the Home Office were actually deliberating as to his guilt or innocence at the very time when the execution should have been going on. [Sir G. GREY: No, no!] It appeared then that people came, up to the very last moment, to make applications on his behalf. His execution was stayed by a telegraphic message, and yet it was on record in the public journals, that there was not a man that witnessed his execution who had the slightest belief that he was guilty of the crime for which he suffered. Then there was the case of that woman who had been indicted a fortnight ago. It was true that she was met with execration by some portion of the crowd; but there were circumstances of palliation, and it was of that class of cases in which respites had been hitherto granted. The criminal in this case had just been respited. Let the House bear in mind that he was not crying down this exercise of the Royal prerogative. There was not a man in that House, or out of it, who rejoiced more than he did that these unhappy criminals had not been hanged. He looked upon every respite that issued from the Home Office as another evidence of the growing power of public opinion on this question, and as a proof that by and by the Home Secretary would be relieved from this onerous, this fearful, responsibility of acting as the judge of the life or death of his fellow-countrymen. With regard to the criminal who was now under sentence of death, he had received a letter only last night from a near relative of that miserable soldier who was recently murdered—a letter which spoke strongly in favour of the opinion which was spreading upon these questions; it spoke most feelingly of the character of the family to which he was so great a disgrace. The House would probably pardon him if he read an extract from it when they had heard it. It was written by a brother-in-law of the unhappy soldier. After alluding to the meeting which he had lately attended, it said—

> "However much we may deplore the melancholy catastrophe which has cast such a gloom over so many families, yet we can deeply sympathise with the perpetrator of the awful tragedy, when we take into consideration the extenuating circumstances connected with it. I have corresponded with the various members of the family on the subject, and find a strong and earnest desire to second the efforts you are making to mitigate the awful sentence. Should it be thought advisable to draw up a petition, with the signatures of the bereaved parents and the other members of the family, to be forwarded to Sir George Grey, the Secretary of State for the Home Department, I will immediately attend to it; or if you think the sentiments embodied in this letter to be sufficient, I am authorised to say that you are at liberty to use it to the best advantage."

Well, now, he thought that letter reflected the highest credit on the writer and on the family. He thought it might fairly be taken as some proof that there was a feeling spreading even amongst those who were supposed to be the supporters of the present system, that it had now become the duty of the Government to arrest the arm of the law if possible, and to carry on the judicial proceedings of the country without having recourse to this greatest and most fearful of all punishments. Now, he asked the House, whether they would tolerate the existence of any other branch of the law for an instant, if such irregularity could be charged against it, as he had proved to be the case with regard to the system of capital punishment? It was quite impossible for judges and juries, and Secretaries of State, to maintain the execution of this law of capital punishment. One man in a jury would defeat them; or, if the jury did convict, the Home Office would be so besieged as that no Secretary of State could possibly lend a deaf ear to the importunities of sympathisers. And those very importunities, which were daily increasing with regard to parties sentenced to death, showed the growing conviction in the public mind that human life ought to be held sacred and inviolate. The hon. Member, after alluding to the recent execution of Reid, in Yorkshire, which had attracted 30,000 individuals, asked the right hon. Gentleman (Sir G. Grey) how he believed that other countries in which capital punishment had been abolished compensated themselves for that security which, in his speech against the Motion of his hon. Friend, an abolition of capital punishment entailed? Let us have such a law as existed in France, by which extenuating circumstances were allowed to prevent capital punishments. Such circumstances, in fact, were allowed to operate with the right hon. Baronet on recommendations properly made; and that being so, he could assure the right hon. Baronet that this exercise of the Royal prerogative of mercy had well nigh brought the days of the gibbet to an end in this country. He held in his hand a report of the Legislature of the State of New York on this subject. That report was drawn up in a most elaborate and able manner. It recommended very strongly that this punishment should be totally abolished; and the only reason why that recommendation had not been adopted by the Legislature was, that, on a division, 48 voted for the continuance, and 42 or 43 for the abolition. In that State, therefore, they were wavering in the balance; and whenever, in that House, there came a vote which brought the minority within five, or ten, or twenty, ay, or fifty, in anything like a full House, in favour of the abolition of capital punishment, he had the fullest confidence in the present Government, and he should have the same confidence in the late Government, that they would bring forward a measure for its total abolition. The hon. Member concluded by asking whether England would disgrace itself by being behind Tuscany, France to a large extent, Belgium, America, he might almost say, and some other countries with regard to this question. He believed that by abolishing capital punishment, and substituting a secondary punishment, we should find that crime, instead of increasing, as was dreaded, would be considerably diminished.

Mr. F. O'CONNOR having had a good deal of practical experience in the criminal law, could not allow this debate to close without making a few observations. He would vote for the first reading of the Bill, but would pause in Committee before agreeing to abolish capital punishment in some cases of murder. The hon. Member for Manchester said, that if there were three, or four, or five, or six, all convicted at the same assizes of apparently the same crime, they were all visited with different punishments. He (Mr. O'Connor) would state, that although no difference in the degree of guilt was visible to the hon. Member, it was visible to the Judge and juries who tried the cases. Formerly, when a man was indicted for murder, the jury had no alternative but either conviction or acquittal of the capital charge; and the result of that system was, that in some instances there was difficulty in obtaining convictions. That was now obviated by the power which there existed of convicting of the secondary offence of manslaughter. The hon. Member for Manchester had shown, however, that a feeling existed adverse to the repeal of the punishment altogether, when he stated that several criminals met with great execration when brought to the scaffold. There was, he believed, no set of men in society who entertained a greater degree of horror and aversion to the crime of premeditated murder than the working classes; and many of them would be averse to see the extreme penalty removed from that offence. The opinion of Mr. Justice Coltman, given on the subject, seemed to warrant the belief that the extreme penalty could not be entirely removed from cases of murder — there would be so many inducements to the hardhearted, greedy, cruel, or savage man to commit murder, which could only be restrained by the fear of death. One man could, if the law were altered with regard to the punishment of death, induce another to commit murder; for men who could not be suborned under the fear of the extreme penalty, would not, perhaps, dread any other kind of retribution. Let what would be said of such men not fearing death, all men clung to life as long as they could; and even the hardened culprit sentenced for murder hoped to the last that he would be pardoned. In legislating on this subject, let the House take care that it did not render the lives of persons who were not murderers less secure. He, for one, should be at all times ready to take his share of the unpopularity which would follow the expression of his conviction on the subject; but he did not think that the punishment could be totally done away with. He admitted the uncertainty of the law as to conviction in capital offences. A case came to his mind, to which he invited the attention of the right hon. Gentleman the Attorney General, for it would show the horrors of the profession to which he belonged. He (Mr. O'Connor) was counsel for two men at the Cork assizes, who were tried for the murder of two soldiers. Mr. Freeman was counsel for two others who were tried for the same offence. The two men for whom he appeared were guilty of the crime — those whom Mr. Freeman defended were innocent. He advised Mr. Freeman to take a certain line of defence. Mr. Freeman, who was the leading counsel, told him to mind his own business. "What was the result?" (continued the hon. Gentleman.) "I cross-examined the witnesses for the prosecution, and they broke down; my clients were acquitted, whilst those of Mr. Freeman, the really innocent men, were found guilty." [The ATTORNEY GENERAL shook his head.] The right hon. the Attorney General might shake his head as much as he liked, but the fact was as he stated; and it showed how far professional vanity made the advocate forget his moral duties—how it rendered him dishonest, and induced him to prostitute himself, and confound the distinction between right and wrong. A memorial was got up to the Lord Lieutenant, and the lives of the two innocent men were spared. Allusion had been made to the secret mode of putting to death persons convicted of capital offences; and he was much surprised that such a recommendation should come from the hon. Member for Manchester (Mr. Bright). To that he would never consent; and he was satisfied that such a practice would never be tolerated in this country. Nobody had a greater horror of taking human life than he had; but he thought there ought to be some difference made between those who took away life in a moment of passion and those who did so premeditatedly and in cold blood, and that the terrors of the law should be reserved for the latter.

MR. BRIGHT had never stated he was in favour of putting people to death secretly. On the contrary, he had a perfect horror of private executions.

MR. G. THOMPSON would trouble the House for a short time upon this subject, which he conceived to be of some importance. He would say that if he had heard any argument that evening which could demonstrate the reasonableness of, and the necessity for, the proposition of his hon. and learned Friend for the abolition, total and immediate, of capital punishments, it was the argument used by the hon. and learned Member who had just resumed his seat, that two men known to have been guilty should have been acquitted, and two men known to have been innocent should have been convicted, and only saved from execution by an application to the Lord Lieutenant of Ireland. That case demonstrated as strongly as any which had been quoted the necessity of saving themselves as a Legislature, and their judges and juries, from the awful predicament of finding themselves parties to the execution of the irrevocable decree of death —led away by the ingenuity of counsel, and discovering when too late that they had inflicted the last punishment on one or more human beings who were guiltless of the crime laid to their charge. The cessation of crime and outrage in Ireland, in consequence of the measure passed during the short Session last year, had been referred to, as showing the wholesome effects produced by capital punishment; but those who used this as an argument begged the question, and forgot to take into account the number of persons who were deprived of the power of carrying arms, the greatly increased amount of the police force, and the vigilance of the landowners in consequence of the extra expense thrown upon them by the precautionary measures. He had received two letters from most trustworthy informants in Limerick, assuring him that the shocking spectacle exhibited by the execution at Clonmel had not produced the desired effect, for a fearful number of murders had followed. The hon. Baronet the Member for the University of Oxford justified the punishment of death by Divine authority, and was of opinion that the magistrate, in his ministerial capacity, was intrusted with authority to inflict capital punishment; and, forgetting that if he could make good that argument, nothing more need be said, went on to use the argument, that they ought not to abolish the punishment of death unless they could find secondary punishments to meet all the necessities of the case. For his own part he did not think the necessity of making provision for eight, ten, or twenty persons who might be convicted of murder in the course of a year, any very formidable obstacle in the way of abolition. One great argument against capital punishment was, the necessary fallibility of all human tribunals. Unless they possessed omniscience and infallibility they had no right to take away human life. Another argument was, that when they consigned a man to the gibbet, the punishment did not end with the man's life, but stretched into the future. Thus, in the case of the impenitent man, they inflicted a punishment which never came within the scope or design of the law; and, in the case of one who was penitent, they put a man out of the world who had every claim to live, as far as he could do so with safety and security to society at large. These were his reasons for voting in favour of the Motion. He could confirm all that had been said by the hon. Member for Manchester as to the growing interest which the subject was exciting in the country; and although the Motion might not be successful on the present occasion, the time would soon come when the right hon. Baronet the Secretary of State for the Home Department would have to discharge that which, to him, he could not but believe would be the pleasurable duty of bringing in, and carrying triumphantly through the House, a Bill for the abolition of the punishment of death in all cases, murder included.

MR. HENRY DRUMMOND was understood to say, that he was induced to rise solely for the purpose of noticing some extraordinary assertions which had been made in the course of the discussion. With reference to what had fallen from the hon. Member who spoke last, it appeared to him that, in inflicting punishment upon a criminal, we had nothing whatever to do with the consideration of what might be his eternal state. Then, again, he must deny that men ought to be gifted with infallibility before undertaking to pronounce and execute judgment on individuals. The objection would apply equally to any other subject upon which men were called to pronounce an opinion. A conscientious man in every circumstance of life ought to form an opinion to the best of his knowledge and ability. He could do no more. When reference was made to the sanguinary code which existed in former years, it should be borne in mind that the punishment of death was attached to many offences in compliance with the urgent demands of merchants and traders, who were continually pressing their representatives in the House of Commons to afford them protection for their property. It was in that way the code was formed. It was difficult to understand whence all the existing anxiety about the fate of criminals arose. Doubtless there was a charm in an hon. Member being able to boast, that year after year he had stood forward as the consistent advocate of the convict. Perhaps, also, those who had distinguished themselves as the advocates of freedom of trade were desirous of emancipating ill-doers from all restraints, and leaving them at liberty to exercise their skill in landlord-shooting. Such a result would not be inconsistent with the maudlin humanity of the present day. It would be remembered that Robespierre, when young, was remarkable for the tenderness of his heart. He left his calling of commissary to the Bishop of Arras because he could not bear the shedding of human blood; but every one knew what a proficient in that line he afterwards became. Whether it would be possible to substitute any fear which would be as effectual as the fear of being hanged, he could not undertake to determine; but his belief was that it was not possible. Those persons who called upon the House to take example by the French code, and to import "extenuating circumstances" into our judicial system, surely could not be well read in the trials of that country at no very remote period. Take the case of Madame Laffarge who was tried for poisoning her husband. The lady pleaded, as one of the *circonstances attenuantes* of her case, that her husband had bad teeth. The French jury admitted the validity of the plea, and Madame Laffarge was not executed. The reduction of the amount of corporal punishment in the Army and Navy had been referred to as an argument in favour of the abolition of the punishment of death; and the House had been reminded of the saying of the Duke of Wellington, that he hoped to live to see the day when no soldier would be flogged, by which his Grace meant that he hoped to live to see the day when no soldier would deserve flogging. Every military man knew that it was impossible to do without flogging. One hon. Member had referred to what he called the introduction of a theological argument into the present discussion. It was not easy to understand how anything which had been said merited that description. He never knew anybody who could not find a text of Scripture to support anything he pleased. That, however, was not theology; but this he knew, that if there was a clear expression to be found in the world it was in the words, "Whoso sheddeth man's blood, by man shall his blood be shed." Another clear declaration was, that "the civil governor shall not hold the sword in vain." Now, certainly the civil governor would hold the sword in vain if he were not allowed to use it. These references to Scriptural texts reminded him of what a Scotch clergyman once said to him; the rev. gentleman said, that if a man had not got common sense it was of no use for him to read the Bible, for the Bible would not give him common sense. It was said that the proposition submitted to the House was to be only an experiment. Then, of course, the hon. Member for Manchester would not object to have it tried first in his own district. It would, however, be only fair to permit the hon. Member for Dumfries to share in the advantage to be derived from the experiment. Let it be proclaimed, that in future no person should be executed for murders committed in Manchester and Dumfries; and if the plan should be found to work well in practice in those places, it might be extended to the whole of the empire. The anti-punishment-by-death-agitation had its origin in a bastard humanity. Influenced by that, juries, instead of doing their duty in the fear of God and man, and confining themselves to the single question, "Is this man guilty according to the evidence?" turn themselves into judges and a thousand other things, and do not keep their oaths. The fact is, that our sympathy is always for rogues. He would give the House proof of his assertion: the labourers were not so well fed as the people in the union workhouses; and the people in the union workhouses were not so well fed as the people in gaols; and the people in gaols were not as well fed as those of them who were condemned felons.

Mr. NAPIER said that, having had considerable experience in civil and criminal justice, perhaps the House would bear with him for a few moments while he alluded to one or two observations which might throw light upon the question. It appeared that there was one point on which all were agreed, and which was taken as the basis of the argument on both sides—he meant the principle of the sacredness of human life. He thought that any one who had witnessed the administration of the criminal law in this country, could not but see in every department of criminal justice the most striking evidence of this tenderness for human life—this extreme caution—this almost Divine carefulness that not the hair of a man's head should be injured unless upon the clearest proof of his guilt. The question had been argued by some hon. Gentleman, on the ground that Government had no power to execute capital punishments. If that were so, there was an end of the question; but how had that point been maintained? It was said that human tribunals were fallible, and might make mistakes. But, if that were so, the same argument would prevent human tribunals from dealing with liberty or with property, and from all the concerns of life. Nay, those Members of the House who were Protestants would thus be precluded from judging in matters that concerned those eternal interests; for his own part, he thought, with the hon. Member for the University of Oxford, that the power of society to take away life rested upon the Divine precept, or upon the parallel principle, that all human society was of Divine appointment. But, admitting this, there was still the important question remaining —and it was a very important question— under what circumstances might human life be taken away? His own tendency had ever been to reduce the power of taking away life to the utmost possible limit. Without pretending to have any stereotyped opinions on the subject, he had come to the conclusion that murder was the only crime for which human life should be taken away. The hon. Member for Manchester had argued against the punishment of death in any case; because, he said, the fear of inflicting that punishment deterred juries from finding a verdict of guilty. But he thought this argument only went to show that this was the highest sentence known to the law—that it ought not to be lightly inflicted; and, for himself, he was satisfied that in no case ought the punishment to be inflicted unless the evidence was such as to leave the case free of all doubt. He remembered being engaged in an argument one morning with some of his brethren at the bar, when he maintained, perhaps somewhat rashly, that an innocent man was never convicted. That very day he was called upon to defend a man for the crime of murder, but which the prosecutor put as a case of manslaughter; and in that case the innocent man was convicted, while the guilty escaped. At the same time, as he had said before, if simple error was to be allowed as an argument against punishment, there would be an end to human tribunals. It was his intention to oppose the Motion.

Mr. BROTHERTON wished to enter his protest against this question being argued merely on the ground of expediency. The hon. Member who spoke last said, that the Government of the country had power over the life of man. He (Mr. Brotherton) should admit that they had the power, but he disputed their right to take the life of man. He who alone gave life had a right to take it away—man had no right to destroy his own life, and therefore, in entering into civil society, he could not delegate to another a right he did not himself possess. There was a sentiment and feeling in the mind of man superior to the written law which says, "Thou shalt not kill." The hon. Member for Surrey had quoted the passage, "He that sheddeth man's blood, by man shall his blood be shed;" but he (Mr. Brotherton) contended, that that was no more a precept than the declaration of our Saviour, when he warned his followers, saying, "He that taketh the sword will perish by the sword," in the way of retributive justice. The aim of all punishment should be the prevention of crime; and if we wished to cherish the principle of the sacredness of human life in others, the best way was to respect it ourselves. Believing that capital punishments were not sanctioned either by the divine law, the spirit of humanity, or sound policy, he should support the Motion of his hon. Friend the Member for Dumfries.

Mr. MUNTZ said, that upon this question he had no morbid feeling like that which had been alluded to by previous speakers; if any man should attack his person or his House, he should make no scruple of killing him; but that was a very different question to hanging a man in cold blood. The hon. Member for the University of Dublin would prefer that an innocent person should suffer sooner than a guilty one should escape. Now, he was of opinion that it were better one thousand guilty persons should escape, than that one innocent man should be punished. It was not so great a punishment to hang a man as to transport him; he himself would sooner be hung than transported. What was life worth if it was rendered miserable for ever? They did not benefit society by hanging a man—they only encouraged crime by making the punishment familiar to the eyes of men; but let them remember, that when they once hanged a man, they could not unhang him. He himself had been once tried criminally for a crime of which he was perfectly innocent—as innocent as any man among them; and were it not for the charge of the Judge, who summed up decidedly in his favour, he should most probably have been convicted. He would support the Motion of the hon. Member for Dumfries.

Mr. EWART replied.

The House divided:—Ayes 66; Noes 122: Majority 56.

List of the AYES.

Adair, H. E.
Aglionby, H. A.
Alcock, T.
Barnard, E. G.
Birch, Sir T. B.
Bowring, Dr.
Bright, J.
Brotherton, J.
Callaghan, D.
Clay, J.
Cobbold, J. C.
Cobden, R.
Cowan, C.
Crawford, W. S.
D'Eyncourt, rt. hon. C.
Divett, E.
Duff, G. S.
Duncan, G.
Fagan, W.
Fagan, J.
Fox, W. J.
Greene, J.
Grosvenor, Lord R.
Hall, Sir B.
Headlam, T. E.
Henry, A.
Heywood, J.
Hindley, C.
Hodges, T. T.
Hume, J.
Hutt, W.
Jackson, W.
Keating, R.
Kershaw, J.
King, hon. P. J. L.
Lennard, T. B.
Lushington, C.
Meagher, T.
Masterman, J.
Milnes, R. M.
Mowatt, F.
Muntz, G. F.
O'Brien, T.
O'Connor, F.
Pattison, J.
Pechell, Capt.
Pilkington, J.
Power, Dr.
Power, N.
Raphael, A.
Robartes, T. J. A.
Roche, E. B.
Salwey, Col.
Scholefield, W.
Sidney, Ald.
Smith, J. B.
Strickland, Sir G.
Tennent, R. J.
Thompson, Col.
Thompson, G.
Thornely, T.
Turner, E.
Walmsley, Sir J.
Wawn, J. T.
Williams, J.

TELLERS.

Ewart, W.
Nugent, Lord

List of the NOES.

Abdy, T. N.
Adair, R. A. S.
Adderley, C. B.
Anson, hon Col.
Anstey, T. C.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagge, W.
Barrington, Visct.
Bellew, R. M.
Berkeley, hon. Capt.
Blackall, S. W.
Blackstone, W. S.
Blakemore, R.
Bouverie, hon. E. P.
Boyle, hon. Col.
Brockman, E. D.
Bunbury, E. H.
Burrell, Sir C. M.
Burroughes, H. N.
Busfeild, W.
Campbell, hon. W. F.
Carew, W. H. P.
Chichester, Lord J. L.
Clive, H. B.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Coles, H. B.
Compton, H. C.
Conolly, Col.
Craig, W. G.
Deering, J.
Drummond, H.
Duncuft, J.
Dundas, Adm.
Dundas, G.
Du Pre, C. G.
East, Sir J. B.
Ebrington, Visct.
Edwards, H.
Evans, W.
Farrer, J.
Forbes, W.
Fordyce, A. D.
Gladstone, rt. hon. W. E.
Goring, C.
Greene, T.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Haggitt, F. R.
Hamilton, G. A.
Heathcoat, J.
Heathcote, Sir W.
Heathcote, G. J.
Heneage, G. H. W.
Henley, J. W.
Hildyard, R. C.
Hildyard, T. B. T.
Hodges, T. L.
Hope, Sir J.
Hope, A.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Humphery, Ald.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, Sir J.
Johnstone, Sir J.
Keogh, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, G. C.
Mackenzie, W. F.
M'Naghten, Sir E.
Magan, W. H.
Maitland, T.
Marshall, W.
Matheson, Col.
Melgund, Visct.
Meux, Sir H.
Mitchell, T. A.
Morpeth, Visct.
Morris, D.
Napier, J.
Norreys, Lord
O'Brien, J. S.
O'Connell, M. J.
Paget, Lord A.
Paget, Lord C.
Palmer, R.
Parker, J.
Patten, J. W.
Pigot, Sir R.
Pinney, W.
Rice, E. R.
Romilly, J.
Rushout, Capt.
Sandars, G.
Seymer, Lord
Sheil, rt. hon. R. L.
Sibthorp, Col.
Somerville, rt. hn. Sir W.
Stafford, A.
Stanley, hon. E. J.
Stanton, W. H.
Strutt, rt. hon. E.
Stuart, H.
Sullivan, M.
Thesiger, Sir F.
Tollemache, J.
Verney, Sir H.
Vivian, J. E.
Vyse, R. H. R. H.
Walter, J.
Ward, H. G.
Westhead, J. P.
Whitmore, T. C.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.

TELLERS.

Tufnell, H.
Hill, Lord M.

Leave refused.

PUBLIC DEPARTMENTS.

Mr. HUME moved—

"An Address to Her Majesty, that She will be graciously pleased to direct that in all appointments to office, in every department of the State, both at home and abroad, the appointments be made subject to a reduction of salary and allowances, and even to the abolition of offices, if such be deemed necessary, after a careful inquiry into the state of the finances of the country, in order that in cases where such reduction of salary or emoluments, or such abolition of office, be made, no claims for compensation be founded thereon."

He was anxious the public should have the full benefit of any reduction which might be made in the public establishments. Many instances occurred in which the possession of appointments for a day or a week had given persons vested rights, as they were called, to receive large sums of money from the public without rendering any service for it whatever. For example, a master in Chancery had been appointed a few days ago, though it was known that a Committee was about to report their decision that five of the ten masters should be removed, and their offices abolished. The master so appointed would, nevertheless, have a claim for compensation of 1,000*l.* or 1,500*l.* a year; and that appeared to him a very absurd and preposterous thing.

The CHANCELLOR of the EXCHEQUER had not heard of the probable report to which the hon. Member referred. He did not think it advisable to present an address to the Crown on the subject; for though not disposed to disagree with the object the hon. Member had in view, he did not think it would be quite proper to carry it out in the form suggested. For his own part he had taken care, while an inquiry was pending into the offices in the Treasury, that any appointments should be filled temporarily, or that the persons appointed should distinctly understand, in case the abolition of their office or reduction in their salaries were recommended, that they should be subject to such a decision.

Mr. HUME said, he would not press his Motion if he had a similar assurance from the Ministers in general; but otherwise he would persist in it.

Sir G. GREY thought the assurance of the right hon. Gentleman (the Chancellor of the Exchequer) would satisfy his hon. Friend. It was quite right, while inquiry was going on in any department, to adopt the rule of his right hon. Friend; but it certainly would not be just to address the House for the purpose of depriving persons who held office under it of compensation for their services. Persons of rank and education, looking to the security offered by Government situations, accepted salaries which otherwise they would not be likely to consider sufficient.

Dr. BOWRING suggested that inquiries into all matters connected with the salaries of public officers should be conducted by Parliamentary Committees. Upwards of 6,000,000*l.* per annum was set apart by Ministers, over which Parliament had no control.

Mr. HUME, in order to give the noble Lord (Lord John Russell), who was not then present, an opportunity of stating his views on the subject, begged to postpone his Motion to Tuesday next.

Mr. TRELAWNY observed, that if the hon. Member proposed to take away from public officers the certainty of remuneration, he must be prepared to increase their salaries.

Mr. COBDEN said, it appeared to him that the conduct of Government on this question, put forward by his hon. Friend, would be in some measure a test of the sincerity of those expressions which they had dropped from time to time, and would show if it were their serious intention to meet the wishes of the country with respect to the retrenchment of our expenditure. He (Mr. Cobden) thought the Motion of his hon. Friend was a very important one. They all must know that there was a general concentration of public opinion on the subject of the enormous expenditure of the country, which it was admitted was rapidly growing up. They were charged with having been inattentive to the matter; and some hon. Gentlemen in that House were blamed for having neglected their duty altogether on the subject of that expenditure. Their taxation was increasing, and the House had not attended to its duty as the guardian of the public purse. He (Mr. Cobden) was willing to share the blame so far as it was attributable to him; but he would say, that since he had been in that House his attention had been given to the removal of one description of taxation which he considered of the worst kind. He was in the habit of doing one thing at a time; but in future he should not neglect his duty on matters connected with the expenditure of the country. The first thing was to get an assurance from the Government, that pending the inquiry now going on, if any appointment were made, it should be made subject to any diminution or abolition that should be recommended by the Committee; unless his hon. Friend got that assurance, or the terms of his Motion were complied with, he trusted he would again bring on his Motion, when the matter could be more fully discussed, and the attention of the country drawn to it.

Mr. STAFFORD remarked, that the hon. Member for the West Riding of Yorkshire had said, that during his time in the House his efforts had been entirely devoted to the repeal of one system of taxation, which he thought to be most unjust; and he had only to say, that if the hon. Member's success in the measure he now contemplated were equal only to his success in the other, he would not have to congratulate himself.

Mr. LABOUCHERE said, that, although there might be some objection to the form of the Motion, yet he could offer no objection to the general principle of it. He agreed with his right hon. Friend the Chancellor of the Exchequer that it would be most improper, pending this inquiry, to make any appointments that would obstruct any well-founded scheme of economy emanating from the Committee. At the same time he could conceive the case of an office becoming vacant which it would be most improper to offer to any person under the stipulation suggested.

Viscount PALMERSTON observed, that it might be satisfactory to the hon. Gentleman the Member for Montrose to know that when, in the year 1831, very large reductions had been made in the salaries of many of the Ministers abroad, and almost all of the Consuls, it was not considered that because they had been appointed at the former salaries they should not suffer the reduction that it was thought proper to apply.

Mr. AGLIONBY conceived that the hon. Member for Montrose would be willing to withdraw his Motion if he was assured that Her Majesty's Government intended to give effect to the general principles announced by the right hon. Gentleman the President of the Board of Trade. But the hon. Member doubted whether that opinion were responded to by Her Majesty's Government.

Motion withdrawn.

HARWICH ELECTION.

Mr. BAGGE moved—

> "That Mr. Speaker do issue his warrant to the Clerk of the Crown, to make out a New Writ for the electing of a Burgess to serve in this present Parliament for the borough of Harwich, in the room of John Attwood, Esq., whose Election has been determined to be void."

Mr. BLACKSTONE thought the House should pause before they consented to the Motion of the hon. Gentleman. He would remind them that with regard to Harwich the grossest cases of bribery had been proved that ever came before Parliament. It appeared from the report of a Committee which, on a former occasion, had inquired into the subject, that a sum of 6,300*l.* had been then expended by Mr. Attwood at an election for the borough, a large portion of which was expended in direct bribery, and that amongst thirty-three persons a sum of about 3,000*l.* was expended in direct bribes. It appeared that the costs of Sir D. Le Marchant amounted to 1,500*l.*, and the expenses of Mr. Bagshaw to 500*l.* He wished to put the House in possession of some portion of the evidence given before that Committee. It might be urged that the evidence was not taken on oath; but when he mentioned the name of Mr. Bagshaw, he was sure his testimony would be received. He was asked by the Chairman of the Committee—

> "Have you a mercantile establishment at Harwich ?—Yes; I am a shipbuilder. What number of voters are in your establishment ?—About a dozen. Are you directly or indirectly cognizant of any bribery being practised ?—I have since the election heard there was bribery; but I was not aware of it at the time. Do you, of your own knowledge, know that a large number of the Harwich constituency received bribes ?—Yes, I think a great majority—I do not mean to say I saw the money paid at the time; but I think I could induce any Committee to believe that they were bribed."

He had said Sir D. Le Marchant had paid a smaller sum than Mr. Attwood; but the reason of that might be explained by the answer to the next question put to Mr. Bagshaw:—

> "Has Sir D. Le Marchant obtained any Government clerkships, &c. ?—I should think that about twenty or thirty were procured within the last five years, but not exactly through Sir D. Le Marchant."

Perhaps it would be amusing to the Committee to know that there were more persons in Harwich enjoying Government situations at present than were on the poll. Now, when that borough had gone through another ordeal—when Mr. Attwood was now unseated, and when bribery had been proved, he did not think the House should issue a writ before they made some further inquiries respecting it. He was not prejudging the question; but he would move as an Amendment to the Motion of his hon. Friend the Member for West Norfolk, that the Speaker do not make out his warrant before Monday, the 10th of April; and he should also move, that the minutes of evidence taken before the Election Committee should be laid on the table.

Lord DUDLEY STUART thought the Motion of his hon. Friend so reasonable, that the House could not object to it. He wished some plan could be devised for the prevention of bribery and corruption.

Sir G. GREY thought the hon. Member for West Norfolk was rather premature in moving the issue of the writ. He was not aware that the Committee had made any special report, as in other cases. But until the report should have been laid upon the table of the House, he thought the writ ought not to be moved for. At the same time, he thought the Amendment ought not to be put in the form in which the hon. Member for Wallingford had moved it. If the hon. Member for West Norfolk persisted in his Motion, the Amendment properly to be moved to it would be, that the evidence taken before the Committee should be brought up; and then would follow a Motion for printing that evidence. And there should be an understanding that until it were printed, the new writ should not be moved for. But he recommended the hon. Member for West Norfolk to withdraw his Motion for the present.

Mr. AGLIONBY did not know what electioneering tactics might be at work; but he could not help feeling some misgivings when he found an attack upon bribery and corruption coming from the hon. Member for Wallingford's side of the House—a side which had never been remarkable for opposing corruption. He could not help having some doubts when he saw a book relating to past transactions, and one which had been before the House for some considerable time brought forward upon that occasion, and not before. He had sent for the report of the Committee, which would shortly be printed, and in the hands of all hon. Members, and he found not a word in it about the wholesale bribery of which the hon. Gentleman had spoken. There was one single case of money given to influence a vote; and there were two cases mentioned in which money had been given; but the Committee could not say that these sums had been given to influence the votes of the parties. However, if they took the outside, there were only three cases of bribery reported out of a constituency of 180. Where, then, was the case made out for disfranchising the borough? On the subject of treating, the Committee made a most milk-and-water report:—

> "It was proved to your Committee that there was treating practised to some extent; but there was no proof given of by whom the treating was committed."

If they were to disfranchise upon such a report as that, they would be hanging the borough under false pretences.

Motion and Amendment withdrawn.

House adjourned at a quarter after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, March 15, 1848.

Minutes.] New Writ.—For Kinsale, *v.* R. S. Guiness, Esq., void Election.

Petitions Presented. By Mr. Hindley, from Bodmin, against the Election Recognizances Bill.—By Sir H. Ferguson Davie, from North Berwick, for a Removal of Fictitious Votes from the Register of Scotland.—By Mr. Cardwell, from Monmouth, in favour of the Roman Catholic Relief Bill.—By Mr. Rice, from Dover, and other Hon. Members, from several Places, for a Repeal of the Duty on Attorneys' Certificates.—By Mr. Cardwell, from Liverpool, in favour of the Exemption of Small Tenements from Rating Bill.—By several Hon. Members, from various Places, against a Continuance of the Property Tax.—By Mr. Wakley, from the Parish of St. Mary, Islington, against the Erection of a London Fever Hospital.—By Mr. Cobbold, from Ipswich, against a Repeal of the Navigation Laws.—By Mr. Vernon Smith, from Northampton, against the Public Health Bill.—By Mr. Cobbold, from the Union of Bury St. Edmund's and Tingoe, and by Mr. Wakley, from Wolverhampton, for an Alteration of the Public Health Bill.—By Mr. Cobbold, from Ipswich, for Abolition of the Punishment of Death.

THE BOROUGH OF HARWICH.

Mr. FOLEY moved—

> "That Mr. Speaker do issue his warrant to the Clerk of the Crown to make out a New Writ for the electing of a Burgess to serve in this present Parliament for the borough of Harwich, in the room of John Attwood, Esq., whose Election has been determined to be void."

Mr. BLACKSTONE admitted that it was the privilege of any hon. Member to move the issue of a new writ, and his hon. Friend the Member for West Norfolk was quite right in moving it on the preceding night. He was aware of his hon. Friends' intention, and he had told them that he intended to move the Amendment which he had moved upon it. But as he had been markedly alluded to by the hon. Gentleman the Member for Cockermouth (Mr. Aglionby) as one belonging to that side of the House which had never been remarkable for opposing bribery or exposing corruption, he begged to say that for the long period of fifteen years during which he had occupied a seat in that House he had uniformly voted on every question of bribery and corruption which had been raised, and his vote had always been recorded in favour of the exposition and suppression of every sort of corruption. He might not have gone so far, or made himself so conspicuous as other hon. Gentlemen, but he had followed a moderate and steady course. As to the report upon the former election, presented by Mr. Roebuck's Committee, to the reading of which the hon. Member for Cockermouth had been so much opposed, he (Mr. Blackstone) found, on looking into *Hansard*, that the hon. Gentleman had upon that occasion (in 1842) spoken more severely than he (Mr. Blackstone) had done on Tuesday night against that system of bribery which the Committee had disclosed. But his sole object on the present occasion was to have the evidence taken before the Select Committee, which had reported on Tuesday, laid before the House, before the issue of a new writ. He had a right, under such circumstances, to call attention to the former report. He was told, indeed, that bad as the case was, it had been agreed to hush it up. But he found that a division had been taken on the question that the issue of the writ should be suspended, and forty-seven Members had voted for the Motion. The only result, however, had been that the Members were saved from the penal consequences, but the borough was not thereby protected from responsibility. The hon. Member for Cockermouth had read the report of the Committee on the preceding night, and found that at the late election there were only three cases of bribery made out, out of a constituency of 180. But it should be remembered that the Gentleman who was unseated by that report was Mr. Attwood, the same who had been unseated on the former occasion for bribery, when it was proved that more persons had received bribes than there were voters on the register. Those matters should be taken together. He should therefore move as an Amendment—

"That the Minutes of Evidence and Proceedings taken before the House at Election Committees be laid before the House, and that Mr. Speaker do not issue his warrant for a New Writ until the said evidence shall have been printed and laid before the House."

Sir GEORGE GREY said, that as allusion had been made by the hon. Gentleman to what had fallen from him on the preceding night, he would take that opportunity of explaining an expression which he feared had been misunderstood. He was far from meaning to say that the hon. Member for West Norfolk had acted in an unparliamentary manner in moving the issue of the new writ last night. The Speaker had clearly declared the right of any hon. Gentleman to move it whenever he pleased. But after the objections that were taken by the hon. Member for Wallingford, he thought the debate ought not to be taken at that hour, it being then nearly one o'clock, and he thought it would be only right to suspend the issue of the writ until the evidence should be placed in the hands of hon. Members. As to the report of what was called Mr. Roebuck's Committee, in 1842, there was at that time an Act of Parliament passed to indemnify the parties giving evidence, with an arrangement that no Motion respecting disfranchisement was to take place. But if any Motion were to be founded upon that report, it certainly ought to have been between 1842 and the close of the last Parliament—certainly before 1848. The Motion of disfranchisement of the borough upon that evidence should have been made before new writs were allowed to issue. If it were now to be made, it would affect the undisputed seat of his hon. Friend near him (Mr. Bagshawe). In the case of the borough of Lancaster, a new writ had been issued; and was it right that a different course should be adopted with regard to Harwich, under circumstances not of a more aggravated character? He trusted, therefore, that the House would support the Motion of the hon. Member.

Mr. HUME said, he was surprised at the speech of the right hon. Baronet, which seemed to him to be intended to cover the abuses which took place at elections. In the last Parliament a Motion was brought forward by Mr. Roebuck on the subject of the bribery which took place in boroughs generally. Mr. Roebuck having in the most fearless and manly way declared in the House that he was prepared to prove bribery, not only on the part of the electors, but of persons having seats in that House; and having made charges implicating five boroughs, though he might easily have extended the list to fifty boroughs, succeeded in inducing the Government to agree to the appointment of a Committee. That Committee sat, with the understanding that no penalties should attach to any individuals on account of transactions which occurred up to that period; this arrangement being considered necessary in order that the Committee might be the better able to obtain evidence. Before that Committee the most wholesale bribery was proved to have taken place at Harwich; and after what the House knew of the scandalous transactions there at former elections, and which were now repeated, because the parties escaped with impunity at the last time, was it right that such haste should now be shown in issuing a new writ? He would ask the right hon. Baronet, was there any report of bribery having taken place at Lancaster at the former election? and if not, there could be no similarity between the two places. He understood that the House had agreed last night to wait for the report of the evidence. From the number of individuals who had been removed on account of bribery, he believed the character of the House could not be supported unless a Committee were appointed to go into all these cases under the Act of Lord John Russell. It was said that the Committees shut out evidence of general bribery, except as far as was necessary to support the charge against the sitting Member. If that were so, and if the proceedings of Committees were intended to unseat Members, but to screen the boroughs, he thought they ought to suspend their decision until they had the evidence before them, in order to see whether that course had not been pursued in the present case. He had heard imputations against Lyme Regis, and other places also, but for the present he did not wish to mention names. If there were no other reason than the very limited number of the constituency of Harwich, he thought that it ought to be disfranchised. The noble Lord at the head of the Government himself admitted that he thought 300 electors the lowest number that a place should have to entitle it to return a representative. But, independent of that consideration, they had proof of gross and systematic bribery; and it had been even said, that on a former occasion five members of an election committee for Harwich had been bribed with 1,000*l.* each. The time was come when such scandalous means for securing seats in that House should be put an end to.

SIR JAMES GRAHAM: If I might offer a suggestion, I would propose a course which will tend to the convenience of the House on the present occasion, and insure that deliberation which is due to the importance of the subject now brought under our consideration. On reading the Votes of the House which were circulated this morning, I observed that at, I believe, one o'clock, a writ was moved for the borough of Harwich—that some discussion ensued, and an Amendment was moved—and that the Motion proposed was with the leave of the House, withdrawn, on the understanding, as I thought, that the minutes of evidence were to be printed. I admit most distinctly that it is the privilege of any Member of the House, at any time and without notice, to move for a new writ; but certainly I was never more surprised than to find that a Motion of this kind should be so suddenly proposed to the House at that hour of the morning, after what had taken place. I am extremely happy that my right hon. and learned Friend the Member for Bute (Mr. Stuart Wortley) was chairman of that Committee, because in ascertaining what evidence ought to be disclosed, and what kept back, we could find no chairman more competent to form an opinion; and if he were in his place he would have been most able to inform the House of what had taken place. If my right hon. and learned Friend had known that the question would come on to-day, he would no doubt have been in his place; but we all came down to-day under the expectation that my hon. and learned Friend the Member for Midhurst (Mr. Walpole) would have been allowed to bring in his Bill on a subject affecting six seats in this House. We were all prepared to consider that question, whereas this other question affecting only one seat we were not prepared for. The hon. Member for West Surrey, and the other Members of the Committee, are also absent, not expecting that this discussion would come on to-day. Under these circumstances, I think that the better course would be to adjourn the question. I think that it would be highly convenient to adjourn it even until to-morrow, when we would be better prepared to discuss it; but should the question now proceed, I must say, after what occurred in a former Parliament, that this case of Harwich is, in my mind, a case requiring careful scrutiny. I believe it to be numerically one of the smallest boroughs in England, returning two Members to Parliament. I remember that in the case of Stafford the writ was held over on a former occasion for a great part of the Session, and the same course was also followed with regard to other places. Therefore, if the Motion to issue the writ forthwith be now persevered in, I most certainly shall feel it my duty to vote against it. I strongly advise that the question be adjourned.

Sir GEORGE GREY: If the understanding that the right hon. Gentleman alludes to had really been the understanding in the House last night, I certainly should not have supported the issue of the writ; but I need not remark that the Votes only give the result of the proceedings of the House, and not the discussions upon them. In order that the hon. Gentleman might not be misled, I said that I wished the House should be in possession of the report of the Committee printed this morning, and that if the report did not contain any special recommendation—if it were not a special report, but in the usual form—I should be prepared to support the issue of the writ. But I said that if, on the contrary, a charge of general bribery were contained in the report, with a recommendation that the House should interpose its authority, then I could not consent to the writ being issued.

Major BERESFORD said, as the hon. Member for Montrose had, during his absence, stated that at the former election for Harwich a very considerable sum had been paid to the committee, he begged to give the charge a most unequivocal and decided denial. It was quite new to him that there had been a recognised committee of his opponent's appointed at that time; and how he could have bribed a committee that never existed he was at a loss to understand.

Mr. ELLIOT said, that as a Member of the Committee, he felt called upon to make a few observations. He had not been aware that it was intended to move for the issue of the writ that morning, as he understood, with the right hon. Baronet opposite (Sir James Graham), that the question would be allowed to rest until the evidence was laid before the House. He wished to offer merely a few words as to the question of bribery. The only case of bribery proved was that of a person named Saxby, who obtained 41*l.* There were two other persons, named Horlock and Knight, who obtained money under the pretence of demurrage; and there was no doubt but that they would have found further cases of bribery if the payments to them could have been brought home to the sitting Member. The hon. Gentleman inquired whether the Committee had not kept back evidence, or assisted in not bringing forward evidence, with regard to general bribery in the borough. In reply to that question, he begged to say, that after the Committee had sat three days, they were of opinion that the case had entirely failed, and they were even doubtful whether some collusive arrangement had not been come to between the parties. They found afterwards, however, that the delay arose from the difficulty which was found to exist in connecting the agency with the sitting Member. As the case went on, the Committee felt that the petitioners had had great difficulties to contend against in bringing out the evidence; and in some conversation which they had as to the course to be pursued in the event of the case failing against the sitting Member, and of a strong suspicion only resting against him, they all agreed that it was the duty of the Committee to go to the end of the evidence, and to get the best possible information that they could obtain as to the real state of the borough. Therefore, he could say distinctly, that nothing had been done to keep back or to check the production of any evidence that could have been brought forward. They had a most able chairman, and one who performed his duty in a most exemplary manner; and he certainly did interfere on one or two occasions to prevent what he considered to be illegal questions from being put. The other Members had bowed to his decision; but the questions were of a very immaterial character. He thought it was due to the borough of Harwich to say, that there had been nothing brought before the Committee which would warrant them in making a special report, or in alluding to former cases, of which they know nothing.

Mr. BLACKSTONE had only asked for the suspension of the writ until the evidence was printed. The delay could not be more than two days at furthest, and after what had occurred he thought it was tolerably plain that there was something behind the scene, and that the House was warranted in requiring the delay.

Mr. ROCHE trusted that, whatever was the decision of the House, they would sift the matter to the bottom. There was a general impression abroad—more especially in Ireland—that the boroughs in this country were becoming more corrupt and more rotten than before the Reform Bill. As an Irishman, he felt a particular interest in having the question sifted to the bottom; because, for every borough disfranchised in this country, he intended to put in a claim on the part of Ireland. [*Laughter.*] He saw nothing to laugh at in the matter;

and he begged to tell the House that the question of corruption was a very important one; for what had been the great element in the late revolution in France? Was it not that by the corrupt influence of a powerful Monarch, and a powerful Government, the voice of the people had been smothered in France?

MR. BAGSHAW was not in the House last night when the character of his unfortunate borough was under discussion. He did not mean to deny that great corruption had prevailed at the election in 1841. On the contrary, he believed that a great majority of the voters were then bribed; but the moment that election had passed over, a change came over the spirit of their dream. In 1841, there were but 180 voters in the borough. At that election he made his canvass alone, without the aid or assistance of any individual or of any committee; yet the House was told not only that his committee was bribed, but that the chairman had received 1,000*l.*, though he had emphatically declared before Mr. Roebuck's Committee that he never had a committee; out of the 180 voters at that election, 124 independent men (as he believed) promised to give him their votes, but they did not keep their word. He was sorry the right hon. Baronet the Member for Stamford (Sir G. Clerk) was not in his place, because he once sat for a short time for Harwich; and he had been told, that when the right hon. Member was asked whether he would stand again, he was emphatically told, "Bagshawe's interest is so strong, that you must take some indirect means to countervail it." Since 1841, the register had increased from 180 to 290 voters; and he would ask, whether the House would suspend a writ against a constituency more than one-half of whom were not upon the register in 1841?

SIR B. HALL said, the right hon. Baronet (Sir G. Grey) had not met the question fairly; for he had argued as if the Motion before the House was for the disfranchisement of the borough, which was not the immediate point. The question, however, would arise, whether a borough, which had been remarkable for many years for gross bribery and corruption should return Members again, after a report from a Select Committee in which bribery to some extent was charged as being proved. He believed, that collusion had existed between the parties. It was clear that some bribery had taken place at the last election; and he would remind the House of what had been stated by the sitting Member (Mr. Bagshawe), then a candidate, before Mr. Roebuck's Committee, although he now stated, a change had come over the electors. The hon. Gentleman was asked in that Committee—

> "Do you know of your own knowledge that a large number of the Harwich constituency received bribes at the last election?" His reply was, "Yes; I think the great majority of them."

And to another question he answered, that although he did not see money actually given, he could convince any Committee that the great majority of the constituency might be called bribed. This was the case in 1841; and when this borough was again brought forward, it having been shown that the same disgraceful practices still continued, he contended it would be disgraceful to the House to allow a writ to issue for another election. Allusion had been made to the bribery of committees at the elections. Connected with this he would mention, that a friend of his once stood for the borough of Harwich, who was told by one of the voters that he would give him one of his votes, but he did not intend to vote till late in the day. That man actually received 475*l.* for his vote. He had given notice that to-morrow he would move for returns of the number of electors upon the register for the borough of Harwich, and the number of persons among them holding official appointments, in consequence of the hon. Member (Mr. Bagshawe) having stated that there were more persons holding official appointments than there were voters upon the register. He conceived there would have been no objection to such a return; but no sooner had he given notice of his intention than the hon. Gentleman who represented his constituency (Mr. Bagshawe) said he should oppose it. ["No, no!"] At all events the hon. Gentleman said he would oppose that part of the Motion which referred to the number of voters holding appointments under the Government. In conclusion, he hoped the House would not allow the writ to issue until the evidence before the late Committee was in the hands of Members, and it had been thoroughly sifted, in order to ascertain whether it would be necessary to institute further proceedings.

MR. J. S. WORTLEY was not prepared to give any opinion upon the question of the suspension of the writ for the borough of Harwich, because he was not in Parliament in 1842, and because he had no knowledge of the circumstances mentioned in the report from Mr. Roebuck's Committee. In the Committee of which he had the honour to be chairman, he thought it would be only just towards all the parties to shut his eyes to all that had passed at former elections, and to exclude everything from his consideration, except what referred to the immediate case. He therefore felt himself bound to state the impressions created upon his own mind by the evidence before the late Committee. The petition against the return contained extensive allegations of bribery and corruption; and there was no indisposition on the part of the Committee, but quite the contrary, to give every facility to the petitioners to investigate the whole of the case. On more than one occasion it was thought they ought to confine themselves to the particular charges of bribery against the sitting Member. The petition, however, opened a wider field of inquiry; and after sitting two or three days inquiring into the general charges, they found that the petitioners utterly failed in sustaining them. As he had said before, he knew nothing of the previous state of the borough of Harwich; and he was now bound to say that, before the late Committee, there had been nothing like evidence of general corruption either by bribery or treating. There were, however, three distinct cases of bribery proved, two of which were specified in the report; but there was a difficulty in ascertaining upon whose part they had been committed, and the Committee had been unable to bring them home to Mr. Attwood. He had no wish to introduce names into the discussion unnecessarily. The third case, which had been reported, seemed to his mind a clear case of bribery. These were the circumstances under which the Committee had reported; and again he begged most distinctly to say that the inquiry disclosed no evidence of general corruption. The treating had certainly not been of an extensive kind, and it was confined to a period after the poll was over. If the question lay between the suspension of the writ and the adjournment of the debate, he should vote for the adjournment.

Sir J. TYRELL was sure the right hon. and learned Gentleman had displayed great judgment and impartiality upon the Committee. If public opinion was so strong in Ireland upon the subject of corruption in English boroughs as represented by the hon. Member for Cork (Mr. Roche), he would venture to suggest that the borough of Kinsale was not more free from bribery and corruption than the borough of Harwich. At all events if the evidence before the Harwich Committee was to be printed, he hoped the evidence before the Kinsale Committee would accompany it. He felt that if questions of this sort were to be carried out, the noble Lord the Member for London would shortly have to come down with a new Reform Bill; and on this question he would remind the hon. Member for Montrose that he had been in the habit of practising upon the credulity of the old House of Commons by promising extreme purity in the new. On the ground of purity of election he thought, in spite of his own evidence, the hon. Gentleman was entitled to his seat. The Government should not, in his opinion, be too anxious to disfranchise this and similar boroughs; neither was he in favour of extending too much the number of electors in the constituencies, for when they were too large they did not exercise that nice discrimination in the choice of their Members which smaller constituencies might do, as was shown by the loss of their seats by two or three of the brightest ornaments of the present Government.

Mr. V. SMITH thought that it would be very inconvenient to discuss at present the question of a disfranchisement of the borough of Harwich. He thought that the right hon. Baronet the Secretary of State for the Home Department had been somewhat hardly dealt with by hon. Members. The hon. Member for Montrose (Mr. Hume) had attacked him as though he wished to screen the offence. He understood him to take no such course. The question which the right hon. Baronet put to the House was, whether the writ should issue now or not. That was a question entirely distinct from the disfranchisement of the borough. He thought that in a constitutional view of the question the writ ought to issue, because no borough ought to remain unrepresented for any longer period than was absolutely necessary. One of the hon. Members on the Committee had said that it appeared to them that there was something like collusion practised between the parties; and he (Mr. V. Smith) thought that circumstance, coupled with the recommendation of the Chairman of the Committee, ought to have some weight with the House in inducing it to allow the present debate to be adjourned.

Lord D. STUART agreed with the right hon. Gentleman, that the further consideration of the subject ought to be adjourned, in order that the evidence given by the Committee should be in the hands of hon. Members. The hon. Baronet the Member for Essex seemed to insinuate that an agitation might shortly be raised for a new Reform Bill. He warned the House, that unless cases of corruption and bribery, such as the present, were inquired into, and the sources of representation were kept pure, most assuredly the people would agitate for a new Reform Bill. The Motion for an adjournment was so reasonable, that he thought the House could not object to it.

MR. BAGGE said, he was willing to withdraw the Motion, or to submit to its being adjourned.

VISCOUNT PALMERSTON trusted the House would accede to the first alternative offered by the hon. Member, namely, that his Motion should be withdrawn—that therefore the debate should drop—that the Motion for issuing the writ should not be renewed until after the minutes of the evidence taken before the Committees should be printed, and in the hands of Members a sufficient number of days to allow those minutes to be fully considered—and that due notice should be given beforehand of the renewal of the Motion. He thought that that course would reconcile all the opinions which had been expressed, and that it would be the one which a consideration of what was due to the House and the country would point out as being the most fitting to be pursued. He must confirm the statement of his right hon. Friend the Secretary for the Home Department, as to the understanding which prevailed on the previous evening. He was himself in the House, and he acquiesced in it. The understanding to which he was a party, and which he conceived to have been agreed to by the other side, was, that the decision whether the writ should issue or not should be postponed until after the report of the Committee should have been received. That, however, did not prejudge the other question, whether, when that report should be in the hands of the House, a further postponement should take place until the minutes of the evidence were before them. He owned that his own personal individual opinion led him to state that he should be perfectly ready, upon the statement of the right hon. Gentleman the chairman of the Committee (Mr. S. Wortley), to vote for the issue of the writ; and he thought that the reference which had been made to the former report of the Committee of 1842 rather confirmed him in that opinion; because, whereas it appeared that upon that occasion there was a charge of general if not universal corruption in the borough of Harwich, it appeared upon the present occasion that the most searching inquiry instituted on the part of the petitioners had not resulted in the proof of anything like general corruption; but, at the same time, he did feel that this question of bribery was one of such great importance to that House and the country—that the abuse struck so vitally at the root of everything on which the influence, and character, and respectability, and usefulness of that House depended—that he thought the House ought at all times, if it erred at all, to err upon the side of extending opportunities of inquiry, rather than to take that view of the case which might sanction the supposition that bribery could be practised with impunity. Though he was quite aware, therefore, that upon general and constitutional principles the House ought to be careful not unnecessarily to suspend the issuing of writs, and thereby keep any portion of the people unrepresented, yet he did think it would be expedient in the present case that the Motion should be withdrawn, and that the issue of the writ should not be moved for until the minutes of the evidence should be in the hands of Members, and the House should have had an opportunity of considering them. He would suggest, therefore, in accordance with the proposition of the hon. Member for Wallingford, that the Motion should not only be withdrawn, but that the minutes of the evidence taken before the Committee should be forthwith printed and laid upon the table of the House.

MR. WAKLEY had witnessed with great delight the virtuous indignation of the noble Member for Tiverton (Viscount Palmerston), and he should not be surprised to see that noble Lord one day appearing as the illustrious head of a powerful Radical party in that House. Stranger things than that had occurred before now in that House. He was proud to see that the noble Lord was not determined, with inflexible stupidity, like some hon. Members, to stick to old and obsolete prejudices, but had shown himself willing to advance in the right direction. The noble Lord the Member for Marylebone and the hon. Member for Northampton had endeavoured to excuse, or to palliate, the conduct of the right hon. Baronet the Secretary of State for the Home Department. He could not account for that course of conduct. Last night the right hon. Baronet (Sir G. Grey) was for delay; to-day, he being acquainted with the facts of the case, was anxious for the immediate issuing of the writ. Shortly after the appointment of the right hon. Baronet to office, he had taken a phrenological view of his cranium, and he noticed distinctly that the right hon. Baronet was possessed of a very large organ of "justice." Now, after knowing that bribery had been practised in this the most corrupt and rotten of all corrupt boroughs in the kingdom—["No, no!"]—well, then, one of the most corrupt—the right hon. Baronet was in favour of issuing the writ. To whom was he to send this writ? The writ would have to be sent to these corrupt electors, who were thus to be the instruments of adding another to the number of "Attwoodian" Members in the House. What, he would ask the House, was there that would be safe in this country, if the fountain of justice were so corrupted? Would the lives and property of the people of this country be safe or protected, if the fountain of their laws were to be thus corrupt? Large sums of money had been expended for the purpose of corrupting the House to a degree which had never been known. The hon. Member for Essex, who seemed to entertain a fear for the necessity of bringing forward a new Reform Bill, had said that he thought the large constituencies were not in the habit of judging with sufficient sagacity, or exercising a proper degree of caution in the choice of their representatives. Why, was not the hon. Member himself a Member for a large constituency? He wondered that the hon. Member had not found a complete refutation of his arguments in his own person. Essex had always been famous for its representatives. The House might rest assured that these things would be constantly recurring so long as the election for Members was septennial instead of annual, and if they continued to be elected by small constituencies who could be influenced by corrupt means. If the constituencies were enlarged, it would be out of the power of persons to corrupt them. At present it was considered a good speculation for persons to invest their money in an election; they knew that they would have their seats for seven years, and could be able by that time to palm their relations upon the public. The hon. Member for Marylebone (Sir B. Hall) had said that in one case as much as 470*l.* was given for a single vote. Did the House suppose that such a sum would have been paid for a vote if the party paying it did not consider that it would be a profitable outlay? There was an opinion fast gaining ground amongst the people out of doors that they were not properly represented, and they would demand as a right that they should be fairly represented in that House. The hon. Gentleman the Member for Bute said the Committee did not restrain the petitioners from entering into the general charge of bribery and treating. He said, "We found there was bribery, but we could not discover for which candidate it was paid." Now what a searching inquiry that must have been which could not make such a discovery. To him the inquiry did not appear a very searching one. Why, they had the admission of the sitting Member, who, they must suppose, represented the virtue of the place, that the majority of the voters were corrupt; and under such circumstances was the right hon. Baronet the Member for Ripon (Sir J. Graham) to get up in his place and move simply that the debate be adjourned? Let the House "assume some virtue if it have it not." Out of doors the people were dissatisfied at the conduct of the House with respect to these matters—they were becoming sullen, and declined to make any application to the House, because they were impressed with the idea that they did not fairly represent them. The people were willing to conform to the established state of things if they were fairly represented. Proof of this was to be found in the fact that there was not the same demand for a republic here as in France. Those who were guilty of such conduct as that pursued with respect to this borough, ought to be punished with the utmost rigour of the law. Unless this was done, and the people more fairly dealt with, anarchy and confusion could not fail to be the result.

Sir G. GREY thought the hon. Member had expended a great deal too much virtuous indignation with respect to him. The hon. Member had even taken a phrenological survey of his head. He hoped that nothing that he had done on this occasion had thrown any discredit upon the phrenological skill of the hon. Gentleman. He (Sir G. Grey) instanced the cases of Lancaster and Carlisle, because he thought they should follow the course adopted with respect to those boroughs; nothing, he assured the House, but considerations of justice induced him to take the course he had. All boroughs charged with bribery, should, he thought, be dealt with equally; and he did not think it just that the hon. Member, after having the report of the Committee of 1842 before him for nearly seven years, which stated that bribery was there committed—after allowing it to slumber for all that period—that he should come down to the House now, and with great virtuous indignation, wish to visit the sin of the constituency of 1842 upon the constituency of 1848. It was because such a proposition was unjust that he had taken the course he had. But he was willing to bow to the decision of the House.

Mr. MOWATT rose not only as a Member of that House, but as one of the electors of the country, to thank the noble Lord at the head of Foreign Affairs for the manly and straightforward declaration that he had made, of his sincere desire to aid in purifying the constituencies of the realm and the returns to that House; and he could not but contrast, painfully, that declaration with the conduct, he might say shameful conduct, of the noble Lord's Colleague, the right hon. Baronet the Secretary for the Home Department.

Viscount PALMERSTON rose and said, he was sure his hon. Friend the Member for Falmouth would at once see that the expression he had used was not consistent with the proceedings of that House. The words "shameful conduct" ought not to be applied to any hon. Member.

Mr. MOWATT said, that he at once withdrew the expression objected to, and which he had used only under strong feelings, and in the hurry of the moment. But certainly he had understood the right hon. Baronet to have avowed himself, by the course he had followed, an advocate for the protection of the present system of corruption. Why, the right hon. Baronet had told the House that it ought to dismiss from its consideration the monstrous corruption that had been proved on a former occasion to have been carried on in the borough of Harwich, for that it had nothing to do with the question before the House. Whereas he (Mr. Mowatt) contended, that, although the evidence before the House might not of itself be sufficient to make out the present charge of general corruption, yet that, taken in addition to the established character for corruption of the borough, as shown in 1842, it ought to prevent the House from consenting to the writ being now issued, at least until the evidence given before the Committee was printed; and yet the right hon. Baronet had urged that it should be issued immediately; and this, too, notwithstanding the understanding that had been come to last night, when he (Mr. Mowatt) was present, that the writ should not be sent out until the report of the Committee was before the House. To act thus, was in his (Mr. Mowatt's) opinion nothing less than sending it forth to the country, that one of the Members of Her Majesty's Government was disposed to shield the present system of bribery and corruption.

Sir G. GREY was extremely indebted to the House for the assurance they had given him that he need not say one word. He was certain, from the view which the hon. Member was disposed to take of his conduct, that anything which he might say would utterly fail to convince him.

Mr. MUNTZ maintained, that the expression which had fallen from the right hon. Gentleman ought to be brought before the House. He had said, that as the sins of the parties were not visited on them in 1842, they were not to be considered now. If they were to be excused because time had elapsed, at least some steps ought to be taken to prevent a recurrence of the evils. If those steps were not taken in this House, they would be taken by the people out of doors.

Mr. D. WADDINGTON believed, that at this moment Harwich, from her increasing prosperity, was not the corrupt borough which she was in 1842, and on that ground he did not think that the present electors ought to be visited with the sins of their predecessors.

Mr. ELLIOT said, that the hon. Members for Finsbury and Birmingham had both endeavoured, by the strongest language that they could use, to show that Members were not honest in endeavouring to put down the practice of bribery. When such assertions went forth to the public, the attention of the public ought also to be called to this fact, that in the present Session of Parliament a number of petitions had been presented on the subject of bribery, and almost in every instance the sitting Member had been unseated. Such being the case, with what possible justice could hon. Members be accused of favouring bribery? He thought it would be much more creditable to the hon. Members themselves if they endeavoured to support the characters of

Members of the House, rather than endeavour by every means in their power to throw discredit on the House, and make the decisions of the Legislature as unpopular as possible. The hon. Member for Finsbury had even gone the length of attacking the Committee, and had said, they did not endeavour to sift the evidence, because when they stated, that two persons had committed bribery, they added that they could not tell by whom they were bribed. If the hon. Member did not exercise a little more fairness in another tribunal than he exercised in that House, he would be very sorry to be placed under him. If he would read the evidence, he would amend his views, but on the present occasion he seemed to have had recourse to what in Scotland was called "Jedart" justice.

Mr. BERNAL OSBORNE fully coincided in the remarks of the hon. Member for Penryn (Mr. Mowatt), which had been made with such boldness. He thought that there was a mock modesty in this House about these cases of bribery. The right hon. the Secretary of State for the Home Department had led away the House when he quoted the cases of Lancaster and Carlisle. What were the cases of Lancaster and Carlisle? Hitherto they had never been mentioned as cases of bribery. As to Harwich, it had one of the worst characters for its constituency of any borough in the kingdom. The case of Harwich formed a remarkable feature of Mr. Roebuck's Committee; and there was no assimilation between that and Lancaster and Carlisle. The time was coming when they must bring about a new reform. Neither the representation of England or of Scotland could stand much longer as it was at present; and if that House did not take up the question of the franchise in a short time, it would be taken up, in a voice of thunder, by the people out of doors.

Sir W. HEATHCOTE said, he could assure the hon. Member opposite (Mr. Mowatt) that the indignation expressed on that (the Opposition) side of the House, was not founded on the hasty expression which had fallen from him, and which he withdrew as soon as he perceived it to be offensive, but was called forth by the substance of his remarks. The hon. Member must certainly have forgotten the character of the right hon. Baronet (Sir G. Grey), when he assailed him as he had done, charging him with having pursued a course different from that which, on the previous day, he had announced his intention of pursuing, and with having acted dishonourably in the matter under consideration. He (Sir W. Heathcote) was in the House up to the very last moment of the previous night's discussion, and he therefore knew exactly what his right hon. Friend had said. He was ashamed to repeat what had so often been stated; but he must say, that his right hon. Friend did not utter a single word which had been attributed to him in the attack of the hon. Member, about waiting until the evidence was on the table. What his right hon. Friend had said was this: "I think it best that this Motion should be withdrawn. It may be renewed to-morrow, or at any other time at which hon. Members think proper to renew it. If by that time the report—not the evidence, but the report of the Committee, shall have been in the hands of Members, they will be able to judge whether or not they think fit to call for the evidence." His right hon. Friend further said, "I, for one, do not think it likely that the evidence will be required;" and he added, in very distinct terms, "After the report is on the table, it will be open to any one to propose a further adjournment."

Mr. HUME was anxious to state that he felt confident that nothing personally offensive was intended in reference to the right hon. Baronet. He (Mr. Hume) had perhaps expressed himself as strongly as other hon. Members, although in a different way. What he had said was, in effect, that it was unfair to draw a comparison between the cases of Lancaster and Carlisle and that of Harwich, when, in fact, there was no resemblance. He must say, however, that if they allowed personal remarks thus to intervene, all good feeling would depart. When the hon. Member for Falmouth had been in the House a little longer, he would, no doubt, find it necessary to be more guarded in his expressions.

Mr. BROTHERTON concurred in every ward uttered by the hon. Baronet opposite (Sir W. Heathcote). He certainly thought the hon. Member for Falmouth had made an ungenerous attack on the right hon. Baronet (Sir G. Grey).

Mr. MOWATT said, the House would perhaps allow him to say a few words in explanation. He could declare, not merely on account of the decision of the House, but most conscientiously, that he had entertained no intention whatever of imputing anything of a personal nature to the right hon. Gentleman. All that he meant was to express, in the strongest language which the usages of the House warranted, his disapprobation of the course pursued, having understood the right hon. Baronet to be an advocate for hurrying forward the issuing of the writ on that occasion.

Amendment to original Motion withdrawn.

[It was ordered that the minutes of evidence by the Harwich Election Committee be laid before the House.]

ELECTION RECOGNIZANCES BILL.

Mr. WALPOLE, on rising to move the Second Reading of the Election Recognizances Bill, said he would first briefly state the circumstances under which it had been introduced. The House would remember that a petition was presented against the return of the hon. Member for Cheltenham, and that the recognizances were discovered to be invalid. In accordance with the advice of eminent counsel, it was supposed that if that petition were allowed to proceed, accompanied by defective recognizances, either the proceedings would be vitiated *in toto*, or the sitting Member would not have that security for the payment of his costs which the Legislature had intended that he should possess. For this reason, he (Mr. Walpole) had moved that this matter should be referred to a Select Committee, not that the Members of that Committee might decide on the law of the case, but that they might report on the facts, and bring them under the notice of the House. Since that petition was presented, six or eight others had been referred to the same Committee. On examining into the facts, the Committee were of opinion that serious legal doubts existed as to the validity of the recognizances. He must here remark that when recognizances were defective, it would not become the House to allow the petition to proceed. By so doing they might bring themselves into collision with the courts of law; and those courts might say, "Although these recognizances have been certified by the Speaker, we cannot give to them a legal effect when they do not possess any validity in themselves; we consider them bad both in form and in substance; and if a sitting Member be injured by our decision, the blame rests not with us, but with the House of Commons." He thought such a result would be very much to be deprecated. The authority of the House could not but be seriously impugned by it, and at the same time the rights of sitting Members would be materially affected. Such being the position in which the matter stood, the question which the House had to determine was, whether the petitions should go in their present form and with the existing recognizances, or whether such a Bill as that which he had introduced was not necessary to settle the matter effectually? The House would allow him to remind them that they were then sitting in a judicial character, and that they must, therefore, determine the question before them, not according to their predilections or feelings, but strictly with reference to the justice of the case. What, then, were the rights which they were bound to regard, and who were the parties interested in their decision? There were the sitting Members on the one hand, and the different constituencies on the other. The sitting Members had undoubtedly a right to ask that the petitions against their return should not be allowed to proceed until they had received a guarantee for the payment of their costs in case the petitioners should fail. On the other hand, the constituencies had a right to demand that a mere defect of form, which had arisen, not from any neglect of theirs, but from an inadvertence on the part of the officer of the House, should not be suffered to preclude them from questioning the validity of a return; that they should not be debarred from proceeding merely because an officer in the House had certified that the recognizances offered were in accordance with the Act of Parliament, when, in point of fact, they were not, more especially as, had their attention been called to the defect at the time, there would have been ample opportunity of remedying it. There were two cases by which that matter was placed beyond all possibility of doubt—the Leicester case and the Walsall case. In the former a defect in the recognizances was brought specifically under notice. The examiner took time to consider the matter; and, thinking the recognizance a good one, certified accordingly. It was clear that, if the examiner had declared that the recognizance entered into was one which could not be accepted, the parties would have had ample opportunity of setting the matter right. To say that constituencies should be deprived of all power of questioning the validity of a return, on account of a defect to which the examiner's attention had been directed, would be to say, in effect, that a petition against a sitting Member should not be proceeded with if any technical objection could possibly be urged. The Walsall case was still stronger than the Leicester case. In that case a good recognizance was entered into before the Lord Mayor, but it was not signed. Any legal Member of that House would confirm his declaration, that no recognizance need be signed at all; that the absence of a signature would not, in fact, invalidate it. Yet, in the case of which he was speaking, the examiner thought that, inasmuch as it had been his practice always to require that recognizances should be signed, he was bound to send back the recognizances in question for signature. The parties, in their hurry, then entered into new recognizances, which proved so ambiguous that they could not be acted upon. The consequence was, that although they had done what was perfectly right, unless this Bill were passed they would be unable to proceed. It should be remembered, in considering the case, that the recognizance was burnt, not by the parties themselves, but by the examiner's clerk. Now, he might take it for granted, that it was the opinion of the House that the various petitions should be proceeded with in some form or other. It was, however, a very important and difficult question in what way they should proceed. On that subject the report contained four suggestions; and one of those suggestions was embodied in the present Bill. He proposed that the petitioners should have an opportunity of entering into valid recognizances—that they should submit their recognizances to the examiner—that objections might then be made by the sitting Member—and that when recognizances had been put in which gave to the sitting Member full security for his costs, then, and not till then, the petition should be allowed to proceed. To this proposal there was one objection, which he confessed he was unable to remove, namely, that the petitioners might refuse to enter into fresh recognizances, and that in that case the sitting Member would not be able to obtain the costs already incurred. But he believed that the Members concerned would be willing to sacrifice a small sum as a consideration for having their seats secured to them. Under all the circumstances, he could not but think that the House ought to pass some such Bill as that which he recommended. An hon. Member had given notice of an Amendment, which would have the effect of preventing any further proceedings; but would it be desirable for the House to adopt such a course, when by the Bill before it security was given for the payment of costs? He was of opinion that the only method by which they could do justice, both to the sitting Member and the constituents, was to introduce some such Bill as that recommended by the Select Committee. Let another mode by which they could effect their object in a more equitable manner be pointed out to him, and he, for one, would be most willing to accept it; in the absence of such, he would, however, entreat the House to adopt the present measure.

MR. SPOONER said, that if his hon. and learned Friend who had just sat down found the present question difficult and embarrassing, how much more so ought he to feel it, unskilled as he was in matters of legal detail? He had often contemplated such a revision in the law; but he considered that the subject was of too vast an importance not to attract the attention of more eminent men than himself, and he accordingly delayed until the last moment making any proposition to the House. He must now say, after a full consideration of the subject, he had come to the conclusion that the present Bill could not pass, as it would not remedy the evils which existed. He was also of opinion that Parliament would not be doing its duty if it contented itself by merely negativing the measure. By pursuing such a course they would not be grappling with the difficulties of the question in an efficient manner, the grievances would still remain, nor would the difficulty be lessened. The proposition which he was about to make, although he knew that it was not perfect, appeared to him to be best calculated to meet the difficulties under which we at present labour; admitting, as he did to the fullest extent, the legal knowledge and the brilliant talents of his hon. and learned Friend, yet he felt himself conscientiously bound to dissent from his proposition. His hon. Friend had said that they were now to act in their judicial character: he completely agreed with him—in that character, and in that alone, had they come to the consideration of the subject—party views, party feelings, party considerations, party intimacies, or friendships, should all be laid aside; and he, for one, felt the same weight of responsibility to rest upon him as if he were in a jury-box. The preamble of the Bill stated that "Whereas certain doubts existed." He should like to know what doubts these were. Surely not upon the law; that was sufficiently clear and explicit. The Committee were sent to investigate into certain facts, and to report upon them. What were those facts? By the law as it at present stands no petition can be received unless certain recognizances are entered into; and their sufficiency or form is not left to the opinion of the parties interested, but a specific form is required, which, if not complied with, all the proceedings taken upon the petition are void *ab initio*. They had been told by some hon. Gentleman that they had not to do with a question of form, provided the substance was maintained. Now, he begged most entirely to dissent from such a proposition; for if there was one thing more strictly required in courts of justice than another, it was this attention to forms, which proved the safeguards and barriers to the introduction of many abuses. But there was one objection to the present Bill, which he believed the House would concur with him in believing was insuperable—and that was, that this law was an *ex post facto* law. He thought that the House would not lay down the principle that because a law existed about which there could be no doubt—a law clear and lucid in its requirements and definitions—and because certain parties desirous to avail themselves of the advantages it conferred did not choose to regulate their conduct by its provisions, that they were, therefore, to come and alter that law in order to cure the *laches* committed. They surely were not to presume every thing against the sitting Members, merely because they were so. On the contrary, being Members *de jure*, they had the right to have much presumed in their favour. They were also told that they would inflict no injury upon the sitting Members if they consented to this proposition, because, if they were rightly returned, they would only be placing them in their proper position, having been misplaced by the neglect of an officer of that House. But was it no injury to a sitting Member, who by the law as it at present stands cannot have his seat arraigned, to alter that law in order to have it arraigned? Nor was it the fact that the primary neglect had been committed by an officer of that House. The petitioners and their legal agent were first in fault, as they did not comply with the provisions of this Act; for the examiner was not to point out the method in which it ought to be prepared; it was his duty merely to see that it was properly executed. It had been proved with respect to the Cheltenham petition, that the recognizance had been sent in a correct form from London to Cheltenham, and that the material words binding each of the parties to pay his share of the expenses of prosecuting the petition, had been altered in the latter place. The only safe plan for the House to adopt was to abide by the law as it stood, and that they should make the circumstances to meet the law, and not alter the law to meet the circumstances. He deprecated any alteration for an *ex post facto* purpose; and, hoping the House would agree with him in that opinion, he would move the following Amendment:—

> "To leave out all the words after the word 'that,' in order to add, 'the orders referring the petitions presented against the returns of Members to this House for the boroughs of Bodmin, Cheltenham, Leicester, and Walsall, the city of Dublin, and the county of Longford, to the General Committee of Elections, which petitions are mentioned or referred to in the said Bill, be discharged, and that no further proceedings be taken on the said petitions.'"

SIR G. GREY reminded the House he had opposed the original reference of the petitions to the Committee, whose report was then under consideration, on the ground that the decisions of the examiner of recognizances should be final, and was intended by the Legislature to be so considered. The discussions that had taken place on this occasion had not tended to make him doubt the correctness of that opinion; but as the matter had been referred to the Committee, and as they had fully considered in what way the grievances of which the sitting Members complained might be most conveniently redressed, he thought the Amendment of the hon. Member should not be adopted, and concurred in the suggestion of the hon. Member for Midhurst (Mr. Walpole) with respect to bringing in this Bill, which provided a total remedy for the evils which they desired to alleviate. As a Member of the Committee, he was prepared to support the report they had made, and to vote for the second reading of the Bill; but in saying so, he merely offered his individual opinion, and had no wish to bias the course of any hon. Member. It would set a most dangerous precedent if the House interfered with an Act by a mere resolution; and hereafter any strong party or Government, acting on the example set before them, might come down and endeavour to shake the security of the seats of their opponents, and to rescind the acts of the Legislature. If the Bill were thrown out, the General Committee would be bound to nominate Election Committees forthwith, and the sitting Members would be in exactly the same state as they were two months ago.

Mr. LAW considered that the House was much indebted to the Committee for the labour which they had bestowed upon the subject now under discussion. He thought they were also much indebted to the hon. Member who had brought forward the Bill; and he must say it would be very desirable that the hon. Member for Warwickshire should put his Motion in a different shape. As to the recognizances, they would be invalid in a court of law. The mode to place all parties in a proper position would be, to give by way of Bill to the General Election Committee the power to inquire into the validity of the recognizances; for it was that validity alone which gave them jurisdiction. He objected to the form of the Amendment moved by the hon. Member for North Warwickshire, because he would not set up a resolution of that House against the law of the land.

The ATTORNEY GENERAL said, the question before the House was, first, whether the Bodmin election petition should be discharged, for that was the question put from the Chair on the Motion of the hon. Member for Warwickshire. Now, in this case, the objection was not to the recognizance, which was admitted to be good, but to some ambiguity in the affidavit as to the solvency of the person who had entered into the recognizance; and no opinion of counsel had been taken by the Committee upon this subject. Now, the question was, whether, on such a ground, the petition for Bodmin ought to be discharged, which, it was to be borne in mind, alleged extensive bribery and treating in that borough at the last election. He admitted the sitting Members had a right to all the protection the law gave them, and that the petitioners must comply with the Act of Parliament. But, besides the petitioners and the sitting Members, there were the interests of the public to be attended to. With regard to the general question, he still entertained very considerable objections to the House interfering at all. His great objection to an Act of Parliament was, that they were taking a question of the privileges of the House out of the hands of the House. It was not a matter of general election law, but the Bill contained a schedule of particular boroughs; and, suppose the House of Lords were to strike out the borough of Walsall, for instance, that would give to the House of Lords the right of returning one of the Members of this House. With regard to the suggestion of the hon. and learned Recorder for London, he thought it was far better even to run the risk of occasional mistakes than to incur the expense of inquiring into the recognizances before the Committee, after witnesses were summoned on both sides. If then he was bound, as he feared he was bound, to stifle his objections to this question being sent to the House of Lords, he thought the proposition of the hon. and learned Member for Midhurst was the least objectionable course that had yet been proposed. If this Bill was thrown out, he apprehended no resolution of the House could repeal an Act of Parliament; and even if the House were to resolve that these petitions should be withdrawn, he apprehended it would still be the duty of his hon. Friend to go on and strike the Committees, and to try the merits of these petitions.

Mr. R. C. HILDYARD must oppose the second reading of this Bill, but he could not vote for the Amendment. He concurred with the Attorney General that the only way in which the House could get out of the difficulty in which it was placed, was by legislation; but he thought the Bill now under consideration was not one which ought to receive the assent of the House. The hon. and learned Member by whom it was introduced, admitted that if it could be shown that the measure was liable to the objection of *ex post facto* legislation, he was not prepared to defend it. Now he (Mr. Hildyard) did not pretend to say that of necessity this Bill would involve *ex post facto* legislation; but it was impossible to say that that might not be the case. Assuming that the recognizances were utterly void, then he contended that the Bill would involve *ex post facto* legislation. It was required that persons petitioning against the return of Members of that House, should enter into certain recognizances. The compliance with that requirement was a condition precedent; and he thought no one would contend, that where there had been a total and palpable non-compliance with the law in this respect, the proceedings were not vitiated. The 10th Section of the Act of Parliament provided, that no election petition should be received, unless, at the time it was presented, it was endorsed by a certificate, under the hand of the examiner of recognizances, that the recognizances required had been entered into. If such recognizances had not been entered into, in his judgment this clause would prevent the petition from being received. The course he would recommend the House to pursue was to negative the second reading of this Bill; and then that another Bill should be introduced giving to a competent tribunal—he would suggest the Court of Common Pleas—the power to determine which of these recognizances, if any, were *ipso facto* void, and, if void, to determine whether, under the operation of the Act of Parliament, all proceedings ought legally to be stayed. But if this tribunal should be of opinion that the recognizances were not void, then he had no objection to compelling the petitioners to enter into such perfect recognizances as would secure the object contemplated by the Act.

SIR R. H. INGLIS would not pass any opinion upon the suggestion which had just been made. The real difficulty which existed, and from which he was desirous to see the House delivered, related to the means by which the House was to be replaced in the position in which it stood on the 10th of December last, when the matters were first submitted to the Select Committee. Four propositions were contained in the Committee's report, and to each of them he had great objection. With the exception of the first, all of them related to legislation, and if that course was adopted, *ex post facto* legislation was inevitable. Adverting to the opinion which had been expressed by the Attorney General in his individual capacity, the hon. Gentleman said he did not think the House would be discharging its duty were any portion of the peculiar jurisdiction conferred upon it by statute parted with, and transferred to the House of Lords. He could not consent to the Amendment, and he objected to the Bill as it involved *ex post facto* legislation. He thought the better course would be to allow matters to stand as they did; and towards the end of the Session a Bill might be introduced regulating the whole question.

MR. ANSTEY could not hesitate to vote in favour of the Amendment. The question did not involve any large question, it merely related to six constituencies and eight seats. He feared no contradiction from hon. and learned Gentlemen when he said, that in the judgment of a court of law the Bill would not be considered a public Bill, but a private one; it was to all intents and purposes a private and an *ex post facto* Bill. Should the House reject the Bill, the only course then open was to agree to the Amendment.

The House divided on the question, that the words proposed to be left out, stand part of the question:—Ayes 124; Noes 126: Majority 2.

List of the AYES.

Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Armstrong, R. B.
Bailey, J.
Bailey, J. jun.
Barrington, Visct.
Berkeley, hon. Capt.
Bernal, R.
Birch, Sir T. B.
Bourke, R. S.
Bouverie, hon. E. P.
Bramston, T. W.
Brotherton, J.
Bruce, C. L. C.
Buller, C.
Burroughes, H. N.
Carter, J. B.
Cavendish, hon. G. H.
Cholmeley, Sir M.
Christy, S.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clive, H. B.
Conolly, Col.
Corry, rt. hon. H. L.
Craig, W.G.
Dalrymple, Capt.
Davie, Sir H. R. F.
Divett, E.
Dod, J. W.
Duckworth, Sir J. T. B.
Duff, G. S.
Duncuft, J.
Dundas, G.
Dunne, F. P.
Ebrington, Visct.
Estcourt, J. B. B.
Evans, W.
Ferguson, Sir R. A.
Ffolliott, J.
Fitzroy, hon. H.
Fortescue, C.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Guest, Sir J.
Halford, Sir H.
Hall, Sir B.
Hallyburton, Lord J. F.
Hamilton, G. A.
Hamilton, Lord C.
Headlam, T. E.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Herries, rt. hon. J. C.
Hollond, R.
Hume, J.
Hutt, W.
Jervis, Sir J.
Lascelles, hon. E.
Law, hon. C. E.
Lewis, rt. hon. Sir T. F.
M'Taggart, Sir J.
Maitland, T.
March, Earl of
Marshall, W.
Martin, J.
Matheson, Col.
Maule, rt, hon. F.
Maxwell, hon. J. P.
Miles, W.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Morris, D.
Napier, J.
Norreys, Lord
Norreys, Sir D. J.
Packe, C. W.
Patten, J. W.
Pechell, Capt.
Rendlesham, Lord
Ricardo, O.
Richards, R.
Robartes, T. J. A.
Romilly, J.
Seymour, Lord
Sheridan, R. B.
Shirley, E. J.
Simeon, J.
Sotheron, T. H. S.
Stanley, hon. E. J.
Stansfield, W. R. C.
Strutt, rt. hon. E.
Stuart, Lord D.
Stuart, J.
Sturt, H. G.
Sutton, J. H. M.
Tennent, R. J.
Thicknesse, R. A.
Thornely, T.
Trollope, Sir J.
Turner, G. J.

Tynte, Col. C. J. K.
Verner, Sir W.
Vivian, J. E.
Wakley, T.
Walpole, S. H.
Walsh, Sir J. B.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Whitmore, T. C.
Williamson, Sir H.
Wood, W. P.
Wyvill, M.
Yorke, H. G. R.

TELLERS.
Hayter, W. G.
Rich, H.

List of the NOES.

Adderley, C. B.
Alexander, N.
Anderson, A.
Anson, Visct.
Archdall, Capt. M.
Arkwright, G.
Armstrong, Sir A.
Bagge, W.
Bagot, hon. W.
Bankes, G.
Bennet, P.
Berkeley, hon. G. F.
Blackall, S. W.
Blackstone, W. S.
Blakemore, R.
Boldero, H. G.
Bowring, Dr.
Bright, J.
Brown, H.
Cabbell, B. B.
Callaghan, D.
Chaplin, W. J.
Clay, J.
Clements, hon. C. S.
Cobden, R.
Cocks, T. S.
Codrington, Sir W.
Coles, H. B.
Crawford, W. S.
Cripps, W.
Damer, hon. Col.
Deering, J.
Devereux, J. T.
Dodd, G.
Drax, J. S. W. S. E.
East, Sir J. B.
Fagan, W.
Fagan, J.
Floyer, J.
Foley, J. H. H.
Forbes, W.
Forster, M.
Fox, R. M.
Fox, W. J.
Fuller, A. E.
Galway, Visct.
Gibson, rt. hon. T. M.
Goring, C.
Granby, Marq. of
Greene, J.
Gwyn, H.
Hall, Col.
Hardcastle, J. A.
Henry, A.
Hervey, Lord A.
Hildyard, R. C.
Hildyard, T. B. T.
Hood, Sir A.
Hope, H. T.
Hornby, J.
Howard, hon. C. W. G.
Hughes, W. B.
Jackson, W.
Jervis, J.
Keating, R.
Keogh, W.
Kershaw, J.
Knox, Col.
Lacy, H. C.
Lindsay, hon. Col.
Lushington, C.
Lygon, hon. Gen.
Mackenzie, W. F.
Macnamara, Maj.
M'Gregor, J.
Magan, W. H.
Mahon, The O'Gorman
Maunsell, T. P.
Miles, P. W. S.
Milnes, R. M.
Mowatt, F.
Muntz, G. F.
Neeld, J.
Newry and Morne, Visct.
Nugent, Sir P.
O'Brien, J.
O'Brien, T.
Owen, Sir J.
Paget, Lord C.
Pilkington, J.
Power, Dr.
Power, N.
Raphael, A.
Reid, Col.
Repton, G. W. J.
Reynolds, J.
Ricardo, J. L.
Roche, E. B.
Rufford, F.
Rushout, Capt.
Sadleir, J.
Salwey, Col.
Scott, hon. F.
Seymour, Sir H.
Sheil, rt. hon. R. L.
Smith, J. B.
Smyth, Sir H.
Somers, J. P.
Stafford, A.
Stanley, E.
Stuart, H.
Sullivan, M.
Talbot, J. H.
Thompson, Col.
Thompson, G.
Tollemache, J.
Turner, E.
Tyrell, Sir J. T.
Villiers, hon. C.
Walmsley, Sir J.
Willcox, B. M.
Williams, J.
Willoughby, Sir H.
Wilson, J.
Wortley, rt. hon. J. S.
Wyld, J.

TELLERS.
Spooner, R.
Anstey, T. C.

The House again divided on the question that the words proposed by Mr. Spooner be added:—Ayes 78; Noes 165: Majority 87.

List of the AYES.

Alexander, N.
Anderson, A.
Anson, Visct.
Armstrong, Sir A.
Bagge, W.
Bennet, P.
Berkeley, hon. G. F.
Blackall, S. W.
Blakemore, R.
Brown, H.
Cabbell, B. B.
Callaghan, D.
Chaplin, W. J.
Clay, Sir W.
Clements, hon. C. S.
Codrington, Sir W.
Cripps, W.
Deering, J.
Devereux, J. T.
Drax, J. S. W. S. E.
Fagan, W.
Fagan, J.
Foley, J. H. H.
Forbes, W.
Fox, R. M.
Galway, Visct.
Greene, J.
Gwyn, H.
Hall, Col.
Hardcastle, J. A.
Heathcoat, J.
Hood, Sir A.
Hope, H. T.
Hughes, W. B.
Jackson, W.
Jervis, J.
Keating, R.
Keogh, W.
Knox, Col.
Lacy, H. C.
Lindsay, hon. Col.
Lushington, C.
Lygon, hon. Gen.
Macnamara, Major
M'Gregor, J.
Mahon, The O'Gorman
Maunsell, T. P.
Nugent, Sir P.
O'Brien, J.
O'Brien, T.
Owen, Sir J.
Paget, Lord C.
Pilkington, J.
Power, Dr.
Power, N.
Raphael, A.
Reid, Col.
Reynolds, J.
Roche, E. B.
Rufford, F.
Rushout, Capt.
Sadleir, J.
Salwey, Col.
Scott, hon. F.
Sheil, rt. hon. R. L.
Smith, J. B.
Somers, J. P.
Stafford, A.
Sullivan, M.
Talbot, J. H.
Thompson, G.
Tollemache, J.
Turner, E.
Tyrell, Sir J. T.
Walmsley, Sir J.
Willcox, B. M'G.
Williams, J.
Wyld, J.

TELLERS.
Spooner, R.
Anstey, T. C.

List of the NOES.

Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Adderley, C. B.
Archdall, Capt. M.
Arkwright, G.
Armstrong, R. B.
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Bankes, G.
Barrington, Visct.
Berkeley, hon. Capt.
Bernal, R.
Birch, Sir T. B.
Blackstone, W. S.
Boldero, H. G.
Bourke, R. S.
Bouverie, hon. E. P.
Bowring, Dr.
Bramston, T. W.
Bright, J.
Brotherton, J.
Bruce, C. L. C.
Buller, C.
Burroughes, H. N.
Carter, J. B.
Cavendish, hon. G. H.
Cholmeley, Sir M.
Christy, S.
Clerk, rt. hon. Sir G.
Clive, H. B.
Cobden, R.
Cocks, T. S.
Coles, H. B.
Conolly, Col.

Corry, rt. hon. H. L.
Craig, W. G.
Crawford, W. S.
Dalrymple, Capt.
Davie, Sir H. R. F.
Divett, E.
Dod, J. W.
Dodd, G.
Duckworth, Sir J. T. B.
Duff, G. S.
Duncuft, J.
Dundas, G.
Dunne, F. P.
East, Sir J. B.
Ebrington, Visct.
Estcourt, J. B. B.
Evans, W.
Ferguson, Sir R. A.
Floyer, J.
Forster, M.
Fortescue, C.
Fox, W. J.
Fuller, A. E.
Gaskell, J. M.
Goring, C.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Granby, Marq. of
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Guest, Sir J.
Halford, Sir H.
Hall, Sir B.
Hallyburton, Lord J. G. F
Hamilton, G. A.
Hamilton, Lord C.
Headlam, T. E.
Heald, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Henry, A.
Herries, rt. hon. J. C.
Hervey, Lord A.
Hildyard, R. C.
Hildyard, T. B. T.
Hollond, R.
Hornby, J.
Howard, hon. C. W. G.
Hume, J.
Hutt, W.
Jervis, Sir J.
Kershaw, J.
Lascelles, hon. E.
Law, hon. C. E.
Lewis, rt. hon. T. F.
Mackenzie, W. F.
M'Taggart, Sir J.
Magan, W. H.
Maitland, T.
March, Earl of
Marshall, W.
Martin, J.
Matheson, Col.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Miles, P. W. S.
Miles, W.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Morris, D.
Mowatt, F.
Muntz, G. F.
Napier, J.
Neeld, J.
Newry and Morne, Visct.
Norreys, Lord
Norreys, Sir D. J.
Packe, C. W.
Patten, J. W.
Pechell, Capt.
Rendlesham, Lord
Repton, G. W. J.
Ricardo, O.
Richards, R.
Robartes, T. J. A.
Romilly, J.
Seymer, H. K.
Seymour, Lord
Sheridan, R. B.
Shirley, E. J.
Simeon, J.
Sotheron, T. H. S.
Stanley, hon. E. J.
Stanley, E.
Stansfield, W. R. C.
Strutt, rt. hon. E.
Stuart, Lord D.
Stuart, H.
Stuart, J.
Sturt, H. G.
Sutton, J. H. M.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Trollope, Sir J.
Turner, G. J.
Tynte, Col. C. J. K.
Verner, Sir W.
Villiers, hon. C.
Vivian, J. E.
Wakley, T.
Walpole, S. H.
Walsh, Sir J. B.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Whitmore, T. C.
Williamson, Sir H.
Willoughby, Sir H.
Wilson, J.
Wood, W. P.
Wortley, rt. hon. J. S.
Wyvill, M.
Yorke, H. G. R.

TELLERS.

Hayter, W. G.
Rich, H.

House adjourned.

HOUSE OF LORDS,

Thursday, March 16, 1848.

MINUTES.] PUBLIC BILL.—1ª Criminal Law Administration Amendment.

Reported—Passengers.

PETITIONS PRESENTED. From Guardians of the Poor of the Rotherham Union, that a Law may be passed to check the Increase of Professional Mendicity.—From Guardians of the Poor of the Luton Union, for Alteration of the Law relative to the Rating of Tenements.—From Strensham, King's Norton and Banbury, for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.

HOUSE OF COMMONS,

Thursday, March 16, 1848.

MINUTES.] PUBLIC BILLS.—1° Petty Bag Office; Tenants at Will (Ireland).

Reported—Queen's Prison.

PETITIONS PRESENTED. By Sir R. H. Inglis, from Croxton Kerrial (Leicester), against the Jewish Disabilities Bill.—By Sir W. Heathcote, from Southampton, and by Mr. J. G. Smith, from York, against the Roman Catholic Relief Bill.—By several Hon. Members, from various Places, for a Repeal of the Duty on Attorneys' Certificates.—By Mr. Fox Maule, from Perth, for Inquiry into the Excise Laws.—From a Public Meeting held at Hawick, for Retrenchment in the Expenditure, &c.—By several Hon. Members, from various Places, for Exemption of Charitable Institutions from the Legacy Duties.—From the Mayor, Aldermen, and Common Councilmen, of Oswestry (Salop), against Increase or Continuance of the Property Tax.—By Mr. Ewart, from Annan, for Revision of Taxation.—By Mr. Oswald, from Ayr, for an Alteration of the Banking Law.—By several Hon. Members, from various Lodges of Independent Order of Odd Fellows, for an Extension of the Benefit Societies Act.—By Mr. Hutt, from Gateshead, in favour of the Courts of Special and Petty Sessions Bill; and Administration of Justice (No. 1) and (No. 2) Bills.—By several Hon. Members, from a number of Places, against the Diplomatic Relations with the Court of Rome Bill.—By Mr. Ewart, from Annan, for a Repeal of the Game Laws.—By Lord Dudley Stuart, from Arundel, for Alteration of the Law of Highways.—By Dr. Bowring, from the Belfast Society for the Prevention of Cruelty to Animals, for Abolition of the Queen's Plates with respect to Horse Racing.—From the Lord Mayor, Aldermen, and Commons of London, for Discontinuing Interment in Towns.—By Mr. Napier, from Newtown Barry (Wexford), for an Alteration of the Law of Landlord and Tenant (Ireland).—From the Inhabitants of Worksop, for an Alteration of the Law in favour of the National Land Company.—By Mr. Bagshaw, from Manningtree (Essex), and by Mr. Wilcox, from Southampton, for Retrenchment in the Naval and Military Expenditure.—By Lord Ashley, from several Public Meetings, for Alteration of the Poor Law.—By Sir H. Halford, from the President and Censors of the Royal College of Physicians of London, and by Lord Dudley Stuart, from the University of Edinburgh, respecting Medical Relief as connected with the Poor Law.—By several Members, from a number of Places, for Alteration in the Public Health Bill.—By Mr. Willcox, from Members of Ebenezer Chapel, Hythe, near Southampton, for Referring War Disputes to Arbitration.

THE NORTH-WEST EXPEDITION.

SIR R. H. INGLIS, seeing the hon. Gentleman the Secretary to the Admiralty in his place, wished to ask a question of which he had given notice, relative to the expedition sent forth from this country in 1845 to explore the North-West Passage, and in respect to which a great and natural anxiety prevailed, not only on the part of persons connected with science, the promotion of which was included as one of the objects of the expedition, but also on the part of the wives and families of those engaged in the expedition. These gallant men had been away for three years, and nothing had been heard of them for the last two years and ten months. He had therefore to ask what steps the Government or the Board of Admiralty had adopted, or were prepared to adopt, with respect to the means employed to discover that expedition under Sir John Franklin?—whether they had sent out any expedition in search of that gallant officer and his crew?—and whether, in addition to such expedition, they were prepared to offer rewards to any whalers or other mariners who in the course of an ordinary voyage or any extra voyage should obtain such information as would lead to the discovery of our fellow-countrymen? He believed, that if such an expedition had been sent forth by any other maritime nation in Europe, there would have been no want of large pecuniary means to secure the successful accomplishment of the object for which that expedition had been sent out, and to extend assistance to those engaged in it; and, indeed, he could not believe that any lack of such means would be experienced for so important an object.

Mr. WARD must state, in answer to the question of the hon. Gentleman, that there was too much cause for anxiety as to the present situation of Sir J. Franklin's expedition. Though it left England in the most perfect state of preparation, the ships were victualled only for three full years, which would expire in the summer of the present year. They were accompanied by a transport, which was required to complete their amount of provisions for the period of three years. They left in July, 1845; but, no doubt, unless intelligence were received of them in the course of the present year, their prospects were very precarious. Two years and ten months had elapsed since intelligence of them had been received. But he thought he could satisfy the House that the Government had not been wanting in any precautions which humanity or experience could suggest, with the view of placing every available means of succour within their reach, at whatever points it seemed most likely to be of service. Three expeditions were now in course of preparation. The *Plover* left early in February for Behring's Straits, where she was to be met by the *Pearl.* The two vessels were to enter the Straits, where they would winter, and the boats of the *Plover* were to sweep the whole coast eastward. The expedition which Dr. Rae would accompany would descend the Mackenzie River with fifteen sappers, and eight or nine seamen in four boats stored with provisions. Sir J. Ross would leave early in May with Captain Bird; and the *Enterprise* and *Investigator* had been sent to Baffin's Bay with provisions sufficient not only for themselves but for Sir J. Franklin and his companions, should they be discovered. And as in addition a reward was offered to the whale ships now beginning to sail from Hull, which should give intelligence on the subject, or afford assistance, he thought his hon. Friend would be ready to admit that no reasonable precaution had been omitted on the part of Her Majesty's Government.

Sir R. H. INGLIS inquired if the right hon. Gentleman was prepared to state the amount of the rewards which were offered? The whalers would depart before the 21st or 22nd of this month, so that an immediate announcement was desirable.

Mr. WARD observed, that it was not to be expected such rewards could be offered by the Government as should induce persons on board those vessels to face the perils of a minute search, or to pass the whole winter. Rewards of 100 guineas would be offered for information, and this amount would be increased according to the assistance which might be rendered.

MEDICAL RELIEF.

Lord ASHLEY rose to move the resolutions of which he had given notice, founded on the evidence taken before the Medical Relief Committee in 1844. It would be his earnest endeavour to economise the time of the House, and spare the necessity of any repetition in the argument. Looking on the evidence as extremely dry, though very important, he thought the best course was, after a few preliminary observations, to take the resolutions in detail. They were founded on the evidence taken in 1844 by the Committee of which he had moved the appointment, in consequence of a very strong feeling which was manifested that some remedy ought to be applied to the state of things as regarded the administration of relief to the sick. The Government acquiesced, and the result was a ponderous volume of evidence. The Committee did not report till the close of the Session of 1844. It was impossible, therefore, to do anything that Session. In 1845, the pressure of business was so great that he was unable to give the evidence due consideration. During the Sessions of 1846 and 1847 he had not the honour of a seat in that House. He did not think it necessary to make reference to the state of things prior to 1844. Great improvements had been introduced into the system of medical relief. But still very great abuses remained. He should carefully abstain from considering the poor-law at large, and confine himself to the administration of medical relief, and more particularly of medical relief to those parties to whom the first resolution referred. He might be met by the statement that the administration of medical relief was altogether beyond the scope of the poor-law, which ought to be entirely confined to food and shelter. But the Legislature had practically affirmed the principle that medical relief should be administered; and from that principle they could not now depart. If medical relief was to be administered at all, it ought to be efficient. He should assume, also, that the right hon. Gentleman (Mr. C. Buller) was well acquainted with the evidence which had been nearly four years before the House, and which, though voluminous, was not very various. Though hon. Members might not have studied the subject minutely, they could scarcely have failed to form an opinion as to the necessity of improvement in the system. Whether the remedy now proposed was the true one was another question. But there was a general feeling throughout the country that the present system of medical relief was on the worst possible footing. He had placed the most important resolution in the forefront of the battle. The others, however valuable as subsidiary resolutions, would be useless by themselves. The first resolution he had to propose was—

> "That every woman claiming medical assistance from the parish in consequence of being pregnant, shall be entitled, in all cases, to the aid of the medical officer with her first child, and also with the second or others which may follow, provided she present a certificate from the medical officer who attended her in her previous confinement, stating that circumstances had occurred in it out of the ordinary and natural course of events which rendered it desirable that she should have medical attendance on the next occasion of delivery."

The boards of guardians, in giving orders, did not act with the care and judgment required, in reference to the necessity of making proper provisions for first cases of delivery. Most frequently a refusal of medical relief occurred in reference to a first case, though such cases especially required the interposition and assistance of a medical attendant. What he demanded was, that every woman claiming medical assistance, should be entitled to make that claim without receiving an order from the board of guardians or relieving officer. The applicants were exposed first to refusal, then to delay. In the matter of delay the whole evidence went to show that such delay was frequently studied and intentional, in the hope that the woman might be driven from her application, and, as often happened, that delivery would take place in the mean time, and that then her case would resolve itself into one not for a special order on the medical man, or for extra allowances or comforts, but a case to be treated as an ordinary case of sickness. Mr. Barnett, surgeon of the Stepney union, stated that—

> "Cases have occurred of mischief from delay, by the difficulties thrown in the way of obtaining orders of the board of guardians. I recollect one where, in consequence of this delay, the labour was so protracted, that terrible results took place, and the woman died. She told me, that the difficulty thrown in the way of getting an order was such, that if the woman applies, they will not grant it; it must be the husband, who is probably at work. In this case her husband could not go. An ignorant midwife was called in, who, in fact, killed her."

The guardians insisted on the attendance of the husband, who could not give it, except at the loss of a day's work. In this case delay was interposed. The woman could wait no longer. She called in a neighbouring midwife, who treated her so unskilfully and brutally that she died. There were other cases in which boards of guardians and relieving officers took upon them to decide whether a woman should be attended at all by a medical man, or by some midwife, though the matter was such as boards of guardians and relieving officers were not qualified to determine. What he had said was confirmed by the testimony of several other learned men—by Mr. Prankerd, surgeon, of Langport, and by Mr. Bellamy, of the same place, who added that the giving of orders would be delayed till delivery should take place.

> "That the after-treatment is frequently the most necessary and important. He has applied for payment, and been refused, because he did not deliver the child."

What was the consequence? In many cases the after-treatment was more important than the treatment at delivery;

and at that time questions in regard to nutriment and the like had to be determined, which required the superintending care and skilful knowledge of a medical attendant. The consequence of such delay was, that, in a great number of instances, women were compelled to send for ignorant persons, who performed the duties required in so rude, coarse, and almost brutal a manner, that, in some instances, mutilation and permanent injury had been the result. He regretted exceedingly that he should have to make such a statement. He had much rather the matter had been adjusted otherwise. But he must enter into details for the purpose of showing the absolute necessity of making the provision he now proposed to make for such cases. [Mr. C. BULLER: There was an order which would meet the object.] The right hon. Gentleman said that an order would meet the object of the resolution. Those resolutions, however, were not proposed in behalf of persons actually receiving relief, but in behalf of persons who were in a destitute condition, requiring relief. The order did not apply unless to parties who were actually on the list of paupers.

MR. C. BULLER thought it would, perhaps, save the time of the House if he stated what was the nature of the order. It was an order for giving medical relief to any woman in the workhouse or on the pauper list, or whom the guardians might subsequently determine to have claims from her destitute condition. His interpretation and decision on that order would be, that in any case where the board of guardians held the case of a woman to be one in which she could not be delivered without parochial relief, they might treat it as a pauper case.

LORD ASHLEY continued: If the medical man attended without an order from the guardians he would not be remunerated; if the guardians decided that the woman was not in such a situation as to require assistance, the medical man would not be remunerated. When the husband was in receipt of 6*s*. or 7*s*. per week, the woman would not be entitled to assistance. The protection which was sought for the ratepayer must be obtained in some other way. But it was the refusal and delay to which those women were exposed, that drove them in so many instances to seek the aid of incompetent midwives. Mr. Byles, surgeon, of Whitechapel, stated that "he had seen cases in which the lives both of mother and child had been lost by employing ignorant women as midwives." He mentioned a case of hæmorrhage in which the midwife, in alarm, left the patient, who died. He described how, in another case, there was the presentation of an arm; the midwife was very unskilful, and endeavoured to turn the child; she twisted the foot over the shoulder and was for many hours pulling at the foot without making any advance towards delivery. The surgeon who made the statement was called in, and had to perform an operation which lasted no less than three hours. He added, that had he been called in at first the difficulty might have been obviated by the application of the most ordinary means. In the appendix, p. 920, there appeared a letter from Mr. Barnett, surgeon of the Stepney union, in which he stated three cases where women, on refusal of medical relief, resorted to the services of unskilful midwives. The first was a very severe case of hæmorrhage. He did not know whether he ought to read the evidence to the House; and yet he did not know how he could prove his case unless he did so. ["No, no!"] He was entirely in the hands of the House; but he put it to the Gentlemen who heard him to consider that by withholding evidence which he believed to be irresistible and overwhelming, his statement might not otherwise be sufficient to carry the sense of the House with him. He admitted that the details were thoroughly disgusting and minute, and all he should say, therefore, was, that in consequence of the delay in giving the order which ought to have been given for medical attendance to certain miserable women, they resorted to unskilful practitioners, and, after having been mutilated and almost cut to pieces, one survived and two died under their hands. Another case was detailed in the evidence given in 1844, upon the authority of the President of the College of Surgeons, where there was not only great delay in giving the order, but other circumstances of cruelty, in consequence of the refusal of 2*s*. 6*d*. to provide a suitable room during the delivery. As he saw the House was very much averse to hear the minute and disgusting details connected with these cases, he certainly should not so much offend their feelings and good taste as to impose upon them evidence which he knew must be painful for them to hear. But he must make this appeal to them, that if, in deference to the House, he withheld the evidence, he hoped and trusted that that would not be allowed to count against him when the House came to divide upon his resolution. He did not mean to say that midwives might not be used with advantage in a great number of cases; but certainly in no one instance of a first case of childbirth. In second and third cases, &c., they might be used, and beneficially; but in all such cases midwives should be used only under the supervision and control of a medical man, and should never be allowed to act without his sanction and responsibility. This was the full extent of the resolution he proposed. The first objection that would be made to his proposal was, that it would open a door to fraud — that a great number of persons not entitled to relief would make application for the assistance of a medical practitioner. He did not deny that to a certain degree a door would be opened to fraud; but, on the other hand, it would close the door against the repetition of the cruel and disgusting cases to which he had referred. He did not believe, however, that fraud would be very generally practised; but, if it were, the House had the remedy in their own hands. If the third resolution which he intended to propose was adopted, it would be necessary to have an Act of Parliament to carry it into effect; and in that Act a clause could easily be inserted, giving the boards of guardians a power of recovery, by attaching the wages of those who had obtained relief to which they were not entitled. The second objection would be that the proposal, if adopted, would encourage immorality, because it made no distinction between married and unmarried women. This objection comprised two considerations: first, was it probable that immorality would be encouraged by the arrangement he proposed?—and, second, if it were probable, was that a time or mode in which society ought to inflict punishment? Could anybody believe that either directly or indirectly immorality would be encouraged by giving assistance on such occasions?—that a woman would actually enter on a course of guilt and immorality, merely because she knew that in the hour of her delivery she would have the benefit of a union surgeon? If any one entertained this opinion, he must go further for the repression of immorality, and must, by Act of Parliament, declare that no woman who had been guilty of this offence should either for herself or child receive parochial assistance. For surely immorality would be much more encouraged by the prospect of after-relief than by the mere prospect of receiving the assistance of a medical practitioner in the hour of her delivery. To show how cruelly the present arrangement operates, especially upon young women, married as well as unmarried, he would take a case which had occurred only a few weeks ago. At present it was expected that young women, many of them not more than sixteen or seventeen, should go to the relieving officer or the board of guardians, state the condition they were in, and demand an order for relief in the hour of their confinement. Now, he found upon inquiry that even married women had a great repugnance to go to the relieving officer, still more to go to the board of guardians, and the consequence was that in many instances through mere modesty they delayed going till the last moment. The following was the case to which he referred:—

> "A few weeks ago a poor girl of seventeen, being with child irregularly, could not apply by her companion in guilt for an order on the doctor for her labour, neither had she the courage to face a board of guardians. She remained in her corner until her hour of trial came; she then begged assistance from an old woman, who was unable to give it properly. She was at last delivered, but so injured and torn from ignorance as to be unfit hereafter for the duties of a wife or mother. If she could have gone to the doctor and stated her case to him as a friend of the poor, the person to stand between her and the guardians, this would not have happened."

If he really thought that his proposal would encourage immorality, he would certainly pause before he made it; but he would warn the House to take care that, in getting rid of one immorality, they did not introduce another of a more heinous character. There was no doubt that the necessary exposure thrown upon young women under the present system frequently led to infanticide; and he believed, that if they really wished to rebuke that crime, which was becoming so rife, one subsidiary means must be to enable women to make application to the medical officer of the parish, who in most instances was regarded as the adviser, the friend, and patron of the poor. These were the grounds upon which he proposed to the House the first resolution. He had abstained from giving the evidence upon which it was founded in detail; but he felt quite sure that, if the House had listened to what he had said, they must feel that it was absolutely and essentially necessary to depart from the strict rule which existed at present. He begged, therefore, to move the first resolution.

Mr. C. BULLER felt not a little embarrassed by the course taken by the noble Lord in placing upon the table of the House a notice of a variety of resolutions impugning the present mode of medical relief, and suggesting a large and material alteration therein—an alteration applying to the whole system and principle upon which medical relief was administered under the poor-law at the present moment, and in now confining himself to one particular resolution. He felt the more aggrieved by that course because, on looking through the resolutions proposed by the noble Lord, stated to have been founded upon the evidence taken in 1844, he found the noble Lord had proposed those resolutions without taking any notice of what had been done by the Poor Law Commissioners in the interim. The consequence was, that it would appear from the resolutions before the House, that it was necessary to rectify certain deficiencies and abuses which he would undertake to show had been long ago much more efficiently rectified by the Poor Law Commissioners than they would be by the course proposed by the noble Lord. It was with great pain that he opposed the noble Lord on the present occasion. He felt the difficulty, in any case affecting humanity and the interests of the poor, of opposing the noble Lord, who was justly regarded as one of their best and most zealous friends. He remembered too, that on one memorable occasion he had had the honour of supporting the noble Lord against what was conceived to be sounder views of political economy; and of vindicating with him the right of the working classes to protection from the law, thereby conciliating the feelings of that class by an act of justice and wise humanity, and doing much to secure their cordial co-operation. On another occasion, when he had felt it necessary to submit a Motion to the House affecting the great mass of the labouring community, he had had the honour to be seconded by the noble Lord. He assured the noble Lord that the subject which he now submitted to the House had occupied his painful and frequent, he might say his constant, attention, since he had had the honour of holding his present office. It appeared to him, that both in principle and detail it was at the same time one of the most anomalous and important, and one of the most difficult, connected with the administration of the poor-law. Indeed, he might say, without hesitation, that it was by far the most difficult. He should be exceedingly happy if the result of his consideration of the subject should be to enable him to fix upon any of the many plans which had been proposed to him for putting the administration of this part of the poor-law upon an entirely new and satisfactory footing; for he could not deny that there was much of the present system for the medical relief of the poor which appeared unsatisfactory as well to his own feelings of humanity as to the general feelings of humanity of an enlightened and civilised community. He did not attempt to disguise that he wished he could consistently with his duty propound or support any new plan of medical relief for the poor through the agency of the poor-law, which would appear to him calculated to place that branch of its administration upon a more satisfactory footing; but he must fairly say, that with all the consideration which he had been able to give the subject, it was impossible through the poor-law to give relief upon any general system more satisfactory than the present. His deliberate opinion was, that if they wished a larger and more complete system of medical relief for the poor, it was not possible to administer it through local agency or by a change upon local funds, but that they must devise some system of central administration, and give from the funds of the country a system of medical relief adequate to their ideas. He did not deny at all that there might not be great improvement made in the present system of medical relief as administered through the poor-law. He was perfectly willing to consider that subject. Many of the suggestions which had been made to him appeared to deserve great consideration; and he assured the House that they should have his best consideration. But he confessed that it seemed to him that his object, and the object of the House, should be to improve the details of the present system of administering medical relief through the agency of the poor-law, rather than to change the general system itself. When he looked back to what had been the effect of the poor-law in regard to medical relief, he thought he might fairly challenge the most hostile inquiry into the subject. He was sure he might appeal to the candid opinion of all who had been cognisant of the state of the poor for years, when he said that there had been no more marked improvement, with respect to the administration of relief to the poor, than with respect to medical relief. He thought, indeed, that he might fairly challenge a comparison between the effects of the old and the new poor-law upon the industrious and meritorious poor, in all matters. It appeared in their houses, in their clothing, in their attendance, and in their dietary. He appealed with confidence to the House whether, in all these respects, the new law was not vastly superior to anything ever seen under the old poor-law? This had been done, too, with a saving to the ratepayers. He thought it was a fortunate thing that they had been able to combine that economy which was necessary to the burden bearing of the ratepayers with such a great improvement in the moral condition of the poor. But with respect to the medical relief of the poor, he would go still further. It had been found that the actual expenditure for the medical relief of the poor had of late years been constantly increasing. Now, the increase of medical relief to the poor—however it might indirectly tend to it—was undoubtedly not in itself an increase of any bad kind of pauperism; and they might, therefore, appeal to the fact that this expenditure had been constantly augmenting, as a proof that the economy with which the poor-law was now administered had never shown itself at the expense of the suffering sick. The sum expended annually in medical relief under the poor-law could not be ascertained from any return; but many Gentlemen were old enough to recollect the old system of parochial relief; how precarious and rare a thing it was; that it was by no means uncommon for a doctor to be appointed to attend to the whole parish for *5l.* a year; and that he did this without any superintendence, there being generally no one but a negligent overseer to look after him. Let the House compare this with the administration of medical relief at the present moment, when in every district they found a sufficient number of medical men to look after the poor, under the vigilant superintendence of the boards of guardians, and under the vigilant superintendence of public opinion, which was brought to bear upon the administration of the poor-law. The subject of medical relief had been brought before Committees of that House on two occasions; the first in 1838, and the last in 1844. He begged to call the attention of the House to the increase which had taken place in the actual amount of money expended in medical relief from 1838 to 1846 inclusive, consisting chiefly of salaries of medical officers. In 1838 the estimated population of England and Wales was 15,155,000; the amount expended in medical relief was 136,775*l.* In 1846 the population was 16,851,000; the amount expended in medical relief was 175,190*l.* The result was that between 1838 and 1846—making an allowance for the increase of population—the increase of expenditure should have been from 136,775*l.* to 152,080*l.* It had, in fact, increased to 175,190*l.*, being 23,110*l.* above the old vote, which was an increase of about one-sixth above the old rate of payment. But this important result he should wish to impress on the attention of the House—that the increase of payment for medical relief between 1838 and 1846 had been one-sixth of the old rate of payments. Nor was that the only increase that had been made in the relief of the sick poor under the administration of the new poor-law. He saw some hon. Gentlemen in various parts of the House who—he hoped he might say it without offence—were old enough to recollect the working of the old poor-law system, and who might have been applied to as justices of the peace to give orders under that system. Those hon. Gentlemen would recollect that to give any extra amount of nourishment under that system was a thing almost practically impossible; the system of extra nourishment had almost entirely arisen under the new poor-law. He had no materials to enable him to state what the amount of that extra nourishment had been; but he had selected a few days ago from the report of the Committee in 1844 the following particulars. He found that in one union, that of Stepney, 646*l.* had been spent in one year for that purpose; and Sir J. Walsham, in his evidence, said that he had attended an Essex union in the preceding week, and that no less than 108 orders, mostly for 2lb. of meat each, had been made out for extra nourishment. He did not, however, mean to say that there did not exist great room for improvement under the present law. He would confess, that great as had been the increase that had been made to the salaries of the medical officers, he thought that some further increase ought to be made. In many districts he thought their salaries were insufficient. But let the House not understand him to say that he thought that generally the salaries were insufficient. In many districts he thought they were exceedingly large, or quite sufficient. In the most prosperous, but not the best managed counties of England, they were large. Sir J. Walsham, before the Committee in 1844, said that in Norfolk and Suffolk they were large; while in Northumberland and Cumberland the amount was very much smaller; but if the payment in Northumberland and Cumberland was very much less, nearly one-half in proportion to the whole population of Norfolk and Suffolk, it was double or treble in proportion to the number of paupers. The worst system of medical relief was given in those counties in which the general administration of relief was the most satisfactory, in which the poor-rates had never swelled the extent of pauperism, and the condition of the people was incomparably superior to that of other districts. If they compared the counties of Northumberland, Durham, Cumberland, Westmoreland, and Cornwall, which were about the least populated districts in England, with others, they would find that those were counties in which the most inadequate provision was made for medical relief, simply because the people in those old counties were the least accustomed to give it, from the feeling which induced them to reject increasing pauperism; and so long as they worked the poor-law through boards of guardians, so long would they find it difficult to make those counties as liberal in medical relief as in those districts where the sick poor were of old accustomed to be charged upon the poor-rates. At the same time, he must beg the House to observe the great difficulty there was in laying down a general system as to the salaries of medical officers. He should be sorry to see the House adopting any general system, because his own conviction was, that that was a matter which must be left free to try in various districts a system the most suited to the feelings of those who had to administer the poor-law, and that if they attempted to administer it according to one invariable system, which should be forced upon those districts, it would not be administered the best. His own opinion was, that as a general rule throughout England, the safest course was to remunerate medical men by salaries; but it was by no means that which would be most satisfactory. On the contrary, he feared the most satisfactory relief that was administered in England, was administered on a different system from that of salaries. In the first place, there was a system of a fixed amount being paid to the medical men, allowing them also to carry on private practice with their salaried practice from the union. But there were many cases in which no private practice was allowed. In Nottingham and Leighton Buzzard unions, where the medical relief was well administered, the system had been to have medical officers with a fixed salary, which was found sufficient to obtain the best medical men, and for which they gave up their private practice, and devoted their whole time to administering medical relief to the poor. He believed that at Nottingham the salary was 120*l.* a year, with board and lodging. In Wayland union, which he believed worked about as well as any system in England, there was a mixed plan of payment, partly by salary and partly by case. And now he must advert to a plan entirely different, and upon which he had received more private suggestions than upon any other since he had been in office. It was a plan which the hon. Member for Finsbury, in conversation with him, had been kind enough to say was one which he thought might be satisfactory; and it had been acted upon under the auspices of Lord Stradbroke in Blything union. By that plan there was no medical officer at all. The union determined beforehand what was the amount they ought to spend in medical relief; they allowed the medical officers to attend without any order, and at the end of the year they divided the sum amongst all the cases attended; and that was the remuneration of those officers. In proposing this to persons conversant with the working of the law, they told him that no system was so liable to abuse; but it worked well in Blything and other places, and he believed that if they could get an energetic chairman of an union, such a plan as that would work better under his auspices than one that was more faultless. But he should be extremely loath upon any opinion of his own or the opinion of the House, at any particular moment, to force upon the boards of guardians throughout the country an observance to any uniform practice contrary to that which they had adopted. The great object in those cases was to secure the payment of adequate salaries; and he thought he had shown that a great deal had been done in that respect by the late Commission. He looked to the maintenance of the character of public servants as one of the main securities for the efficient discharge of the public service, and he thought it was absolutely necessary that medical officers should receive a more adequate remuneration for their labour. It would be his endeavour, as much as was in his power, to secure them that in every individual instance. Undoubtedly the duty was imposed upon them by the Parliamentary grant of the 70,000*l.* a year for medical relief; and he trusted that, by the judicious application of that grant, they might be enabled to insure an adequate remuneration to medical officers throughout England. He confessed that there was one part of the present medical arrangements about which he had a little doubt. It had been adopted with the assent of the medical profession, and yet he had heard many complaints from the profession against it—and that was the system of fees for certain operations. He saw, on the one hand, that it was liable to great abuse; but, on the other, there were many recommendations in its favour. The other day he had received a statement that the Totness board of guardians had come to a resolution that they should not allow any such extra fees. He did not say that he had ordered that resolution to be set aside as illegal; but he had directed an inquiry to be made; and if the inquiry were satisfactory, he should not hesitate to adopt their recommendation. There was one other point of far graver importance in the present system, and which he did not think was satisfactory, and that was, the present mode of supplying the poor with medicine. He thought the system of throwing the charge of drugs upon the medical man was liable to great abuse; but he must confess that his power to remedy the abuse was very inadequate with the power of perceiving it. He thought that, in the process of time, they might be able to organise some better mode of dispensing the drugs. He could not see, however, how it could be done without the cordial co-operation of the residents of the district. If they could get private charity to aid them, not with money, but in dispensing medicine, he thought a great improvement might be made; and that was a subject to which he should give his particular attention. He had no plan, he could have no plan, which he would attempt to force upon unions; but, if he could induce the intelligent men who served as poor-law inspectors to give their aid to the clergy and gentry of the country, with the boards of guardians, to establish some better plan of dispensing drugs, he believed that he should have done a great service to the poor of this country—and he must here beg pardon for stating his opinions in their present crude and doubtful form. He was stating them as they passed through his mind. But it was a matter of great difficulty to form a sound opinion upon, requiring the experience of as many years as he had been months in office, and he was almost ashamed to propound any opinion upon it at present. He would, however, throw himself on the indulgence of the House, and he would assure them that if he had advanced any crude or unsound opinions, his docility should be exemplary. He thought that in some cases evil arose from an undue fettering of medical officers in supplying relief, although he confessed that he thought a great part of the complaints on this subject arose with reference to cases which existed under the old system prevalent in the first years of the new law. His own opinion was, that these were matters in which the relieving officer should have very little power of discretion. For the relieving officer to elevate himself into a judge, and to decide the question as to whether a person alleging himself to be sick was so or not, was a matter which he was totally incompetent to pronounce any opinion upon. The only question for the relieving officer to determine was, whether the applicant was a pauper or no pauper; and he must say that, generally, he should hold it to be the best administration of the poor-law if the medical officers were entrusted with the discretion, on their own responsibility, of attending such sick poor as applied to them for relief, subject to the approval or non-approval of the next board of guardians; and that the board of guardians, and not the relieving officer, should decide the question of pauper or no pauper. He thought, however, that the danger was on the other side, for, looking to the ordinary principle of human nature, it struck him that more diligence must be exercised to prevent a man from not attending those for which he got nothing, than to prevent another from refusing charity which cost him nothing. But that was exactly the case under the present system of the poor-law, because, by the general consent of the medical profession, boards of guardians throughout the country had agreed to adopt the salaried system; and medical men were paid the same salary, whatever was the number of cases they attended; and there was a condition to supply drugs in all those cases. He found the other day, by a return in the Poor Law Office, that out of 568 unions in England, in 551 the medical officers were paid by salary, and by cases in only 17. It was quite clear that in all instances in which the medical officers were paid by fixed salaries, there was no inducement, on the one hand, to make work for themselves by attending patients they ought not to attend; and, on the other hand, that the relieving officer could have no inducement to prevent their attending on those cases, because it cost him nothing. It seemed to him that the danger was all on the other side—of the salaried officers not being kept sufficiently alive to their duty, having no sufficient inducement to attend to it; and during his short experience in his office of the ordinary practice of poor-law relief, he had had no complaint made of a relieving officer refusing to allow the medical officer to attend; but he had had complaints from boards of guardians against medical officers for not attending when they ought. He knew there had been cases of complaints, when there were certain fees for operations or midwifery cases, that the medical men were not allowed to attend; but in all the cases that had come before him, it had not been the boards of guardians or the relieving officers that had been in fault. There were cases which had lately occupied the attention of the public; but he would rather not advert to them unless they were brought more particularly before the House. He could not, however, but say that that was the real difficulty; and he should thank the noble Lord if he would help him to devise some plan by which, if medical officers were paid by fixed salaries, they could be kept up to a faithful and zealous discharge of their duty. Having said thus much on the general subject, he wished to make a few remarks on the resolutions of the noble Lord. He thought he might reiterate his complaint, that the noble Lord had made rather an unfair impression as to the working of the new poor-law, by bringing forward as existing evils those which had been already rectified. He would take, for instance, the 5th resolution—

> "That no medical person be appointed surgeon or medical officer to a union unless he possess a diploma in surgery, and a degree, diploma, or license in physic, from one or other of the Universities or Colleges of Physicians or Surgeons, or Societies of Apothecaries of the United Empire, legally entitled to grant respectively such licenses, diplomas, or degree; and that if, under any circumstances, it should be found necessary to employ unqualified persons, such unqualified persons must have a special permission granted by the Poor Law Commissioners, under their handwriting, with the reasons for such permission annexed. All such permissions to be annually laid before Parliament at the commencement of the Session."

He should like to know what there was in that that had not already been provided for by the articles 168 and 169 of the Consolidated Orders? There was in the article 168 a long specification of the persons who were qualified to act as medical officers; and he believed the only difference between those orders and the noble Lord's resolution was, that, whilst the legal advisers of the Poor Law Commissioners had drawn their order legally, the resolution of the noble Lord was contrary to law; for the noble Lord would leave it open to certain practitioners of Scotland and Ireland to be the medical officers of unions, whilst they were not by law entitled to practise in this country. That was a subject upon which he was in the habit of receiving letters almost daily, complaining of the ill-treatment of Scotch and Irish practitioners under the present law; but he thought they had done all they could under the present law to secure properly qualified men. There were certain cases in which qualified men could not be got in every district of England; but those cases were provided for by the 169th article. The 5th resolution of the noble Lord would not, therefore, in his opinion, do much good. Then there was the 6th resolution; but if hon. Gentlemen would turn to the 75th and 76th articles, they would find that the Poor Law Commissioners went further than the noble Lord, and that they did not stint the medical relief to the pauper, but the medical officer went on attending the pauper without any order or approval whatever, until he thought it unnecessary to continue it. In those two respects the resolutions of the noble Lord seemed to cast an unjust slur upon the poor-law. The noble Lord had confined his arguments, on the present occasion, to his 1st resolution, relating to women claiming medical assistance in consequence of being pregnant; and he (Mr. Buller) had been in hopes, when he handed to the noble Lord the order of the Poor Law Commissioners upon that point, that it would have satisfied him. He had thought that the noble Lord was not one of those who wished for universal pauperism in the country, and that he wished to draw a line of distinction between the idle pauper and the honest and industrious poor, and not to hold out an inducement to every person in every emergency to come to the parish for relief. To maintain a sense of that distinction intact and sacred in the minds of the poor, was a matter of the highest importance; it was essential to the sound administration of the poor-law, and essential to the sound social condition of the people of this country. Far be it from him to participate in that indiscriminate philanthropy which regarded all the poor alike, and refused to extend more approbation and encouragement to the honest and industrious man, whose pride it was to have maintained and brought up his family without resorting to the parish for assistance. As the noble Lord had framed his resolution, it was an invitation to every woman, married or unmarried, to claim relief from the parish. He would not now dwell upon the question of morality. He agreed with the noble Lord that it was not the time when a woman was in the extremity of physical suffering to vindicate the claims of morality, but that relief should at once be extended, and then, if she were immoral, to let her be afterwards branded for her immorality. But without reference to the question of morality, and taking the case of married women alone, the resolution of the noble Lord, as it stood, was a direct invitation to the wives of ratepayers in all circumstances, to the wife of the humble tradesman or the small farmer, to apply for parochial assistance in the case of childbirth, and this while you were crushing poorer ratepayers of the country to pay for better medical attendance upon paupers than they could afford for themselves. You invited such persons to come to the ample feast of parochial charity at the expense of the poor farmer or tradesman, who, for the necessities of himself or his wife, was obliged to put up with half the amount of medical assistance. This was scandalous injustice, and, however he might be taunted with entertaining a desire to refuse medical relief to the poor, he would contend that even that was less unjust than throwing the burden of providing such relief upon those who could not afford it. If it were desired to break down the ample provisions of public charity, a better course could not be taken than to represent to the poorer classes of ratepayers the picture of inequality and injustice perpetrated upon themselves by the operation of the poor-law. He was not at all inclined to underrate the pains and perils of childbirth; but he must be permitted to remark that there was at least one feature of that condition which rendered it less necessary to open the door to indiscriminate relief—namely, that it could not happen without timely notice. A woman could not be delivered without being aware of her condition; she had plenty of time to apply for relief. The noble Lord had remarked that a woman would not apply to the relieving officer, but would seek the doctor, whom she regarded in the light of a father. Now, when the noble Lord spoke of the parental position in which medical gentlemen stood towards poor women, he must say that if allowance were to be made for such feelings as these, to the extent of refusing to impose any restraint or limit to the applications for medical relief in these cases, merely because women would not apply to the relieving officer, it would be idle to attempt to preserve any safeguard whatever upon the poor-rate. He had handed to the noble Lord the order that had been made by the Poor Law Commissioners applicable to these cases: it was in article 182. The right hon. Gentleman read the order of the Commissioners, which was to the following general effect:—

> "That in cases in which any medical officer, either for the workhouse or the district, shall be called upon by the order of persons duly qualified to make such order to attend a woman immediately after childbirth, or shall, under circumstances of difficulty and danger, without such order, visit such woman receiving relief, or whom the guardians should subsequently decide to be in a destitute condition, such medical officer shall be paid not more than 20*s.* nor less than 10*s.*"

The House would observe that the order might be obtained from persons properly qualified. But there might be cases in which an order had not been applied for; and in such cases did the general order of the Commissioners prohibit relief being given? Not at all; but, on the contrary, the order provided that in such cases the medical man might attend, and the board of guardians would afterwards decide whether the woman was a proper object. Would any one tell him of a better mode that could be invented, without throwing open the door indiscriminately to everybody? Would any one tell him of any other rule by which the wife of the richest farmer in a parish could be prevented from applying, if she chose, to the union doctor? It appeared to him that the rule went as far, under such circumstances, as was possible, with a due regard to the interests of the ratepayers. The medical men, and those who took their part in that House, used very different language now from that which they employed in the Medical Committee, for there it had been held that medical gentlemen were the best judges of the question of pauper or no pauper; for it had been asked, did he not know best whom he should and should not attend? If the noble Lord wished to provide a remedy in these cases, it should be by the institution of some power of appeal from the boards of guardians—not that he advised such a course, and there was a power of appeal in certain cases to the magistrates. But he would not then enter upon the question of opening the door to the authority of justices of the peace in the administration of the poor-law. He had thought it his duty on this the first occasion of addressing the House since holding the office he had the honour of filling, to state those general principles in regard to medical relief, upon which he thought the poor-law ought to be administered. He had given his opinion upon the resolutions proposed by the noble Lord, and it was for the House to decide upon them. That decision, he trusted, would be against the resolutions, for he believed them to be both dangerous and unnecessary. The right hon. Gentleman concluded by moving the previous question.

Mr. WAKLEY said, that the right hon. and learned Gentleman had concluded his speech by saying, that the present occasion was the first on which he had addressed the House since holding his new office. It was to be regretted, that the right hon. Gentleman had made so bad a commencement, for the very first thing he had done was to oppose a change in favour of humanity which had been made by the noble Lord the Member for Bath. After the speech of the right hon. Gentleman, he could not help wondering why the hon. Gentleman now sitting opposite to him (Mr. C. Lewis) was out of office. That hon. Gentleman must now consider that he had been very ill-used in being removed from a situation he had held for so many years, and in which he had, according to the statement of the right hon. Gentleman, made everything so perfect and complete that scarcely any change was requisite. The disappointment out of doors would be very great when it was found that, after the inquiry that had been made, and all that had been said about the administration of the poor-law under the former system, no change whatever was to be made under the new system—that everything was to be maintained in its integrity, and that there was no prospect of a remedy to those evils which had been so much complained of. It appeared that the Poor Law Commission had been abolished, to relieve certain persons; but that with respect to the administration of the law itself not the slightest alteration was to be expected. The right hon. Gentleman had gone over the whole subject, and had not confined himself to the first resolution moved by the noble Lord, which was the question now before the House; but the right hon. Gentleman seemed to consider that he had got an absolute sinecure. No change was to be effected—no modification—everything was perfect. There was nothing at all to alter, and everybody ought, of course, to be perfectly contented. Did the right hon. Gentleman really believe that the present system could be continued? Medical practitioners were not only discontented, but in many instances exasperated. Surely the interests of the poor and of medical men ought to be considered as well as those of the ratepayers. The right hon. Gentleman knew very well that the whole subject of the poor-law must, at no distant period, be brought before the House. The change in the constitution of the Commission had led the public to believe that there would be an alteration in the administration of the law, and that the grinding, severe system which had been pursued, would be superseded by one that was milder and more humane. But it seemed that there was now not the slightest hope of such a consummation; on the contrary, the right hon. Gentleman appeared to think that the law was admirably perfect. According to that right hon. Gentleman, some two or three trifling matters might be changed at some future day; but to judge from his speech, the present generation would never witness any change at all as the Board was now constituted. A very small part of the right hon. Gentleman's observations had been directed to the first resolution which had been proposed by the noble Lord, in consequence of the representations of a great variety of medical witnesses, all competent to understand the question; and the right hon. Gentleman himself had stated his belief that medical men were the best persons to judge whether a party was destitute or not. [Mr. BULLER: They are very capable.] Why not, then, leave it to their decision, and not to boards of guardians? The medical man visited the sick woman, attended her for forty-eight or sixty hours, beheld her pains and sufferings, and then, after having performed one of the most important functions incident to his profession, he was to make his application to the board of guardians for payment; and it rested with them to decide whether he should or should not receive his paltry beggarly dole of 10*s.* or 20*s.* That was the manner in which medical practitioners were treated, and in which the poor women of this country were treated. The right hon. Gentleman could not be aware of the suffering and privation which a destitute woman had to undergo in childbirth. The right hon. Gentleman had never been engaged in matters of that kind; they were foreign to his pursuits. Indeed, it would be well to know what the Government considered to be the proper qualifications for a Poor Law Commissioner. The right hon. Gentleman was an able, acute, and eloquent man; but his pursuits were foreign to matters such as these. His mind had not been disciplined to them, and yet he had been put into office to superintend all the duties connected with the administration of the poor-law, as if he had been engaged for half his life in workhouses and in the administration of relief. He would not say that the appointment was unfortunate until he had had further opportunities of judging; but he must say, as a general remark, that in appointments of this kind the previous occupations of gentlemen, and not their power of addressing the House, ought to be taken into consideration. It would be too painful to describe the terrible sufferings which were endured by poor women in the cases to which the resolution of the noble Lord particularly referred. He had witnessed them; they had frequently fallen under his observation, and it was impossible, by any terms he could employ, to exaggerate in the slightest degree the misery, destitution, and privations of those poor creatures. By giving them the opportunity of applying to a medical practitioner at such a crisis of peril, the House would be conferring an inestimable blessing, and affording to them comfort and consolation they could derive from no other source. But, instead of extending to them such a privilege by law, it appeared that the matter was to be left to the discretion of boards of guardians. What the noble Lord desired was that an Act of Parliament should be passed in which such a provision should be embodied. He did not want to open the door to abuse, or to prevent the interests of the ratepayers from being properly protected. Was the right hon. Gentleman aware of the character as well as the incapacity of the persons who were employed as midwives? They were often women of the worst character, addicted to drink, and frequently attending lying-in patients while in a state of intoxication. In many cases women perished under the violence used by these ignorant creatures. The mother was lacerated and the infant ruptured, and there were even instances in which the intestines of women had been torn out to the extent of many feet. These facts were familiar to professional men; and if the House was not prepared to act upon the principles of justice and humanity, the whole catalogue of horrors should be disclosed. If the noble Lord would not undertake the task, he would. The right hon. Gentleman had talked about the wives of farmers, and other ratepayers, seeking aid from the union doctor, if the noble Lord's resolution were to be carried out. Why, the right hon. Gentleman believed nothing of the kind himself—he used it as an argument, and it had its effect in that House. The right hon. Gentleman knew very well to whom he was speaking, and he had calculated the effect of that statement beforehand. But in how many cases would such applications be really made? Occasionally, perhaps, there might be some person destitute of all self-respect, destitute of those feelings which should influence the minds of persons in that class of society, who might make application to the union doctor to be attended as a pauper; but was not the right hon. Gentleman perfectly certain that in the vast and overwhelming majority of cases such applications would proceed only from the poorest and most miserable? In consequence of the want of proper medical attendance in these cases, miserable ricketty children were born, who became permanent burdens upon the parish, thus entailing a great expense upon the ratepayers, because the expenditure of 10*s.* or 20*s.* was grudged at the proper time; and thus it might be said, that from the inadequate remuneration of medical officers much of the pauperism of the country arose. The medical practitioner was himself an important ratepayer. Generally speaking, he had connexions and relatives in the district who were also ratepayers. He had a direct interest in keeping down the expenditure; and he was, therefore, not a man likely to give false information to the board of guardians. The character of the medical man, in this country, stood too high to expose him to such a suspicion; and the right hon. Gentleman might also place every confidence in the discretion of this officer. The right hon. Gentleman had referred to the mode in which orders for food and nourishment were given. Did the right hon. Gentleman know the manner in which the medical and relieving officers were compelled to act towards each other in this matter? The relieving officer gave an order to anybody who applied, and they thus created a wholesale pauperism, the most profligate system ever adopted. They would not pay the medical officer an adequate salary; but they compelled him, at an inadequate salary, to attend to all for whom he received an order from the relieving officer. In many districts, in the great majority of cases, when he visited a destitute person, he found him in a state of disorder, arising, not from any positive disease, but from want of food. The duty of the medical officer, then, was not to give bark or quinine, or any tonic medicine, but to order proper nourishment. He gave, in such an instance, an order for food, and frequently the poor person had to walk 20 miles—such was the construction of some of the unions—before that food could be obtained; perhaps a paltry 2lbs. of meat. ["No, no!"] That undoubtedly was the case in many of the rural districts in England; he had five miles to walk to the relieving officer, and five miles back again; five miles for the relief itself, and five miles back again after getting it. This had happened again and again in this very county under his own observation. If the medical officer was what was called "liberal" of these orders for nourishment, he speedily lost favour with the guardians; and the right hon. Gentleman would recollect, according to the rules of the late and of the present Poor Law Commissioners—for it appeared the system was too perfect to be changed—that before the poor person could receive the food required, the order had to be confirmed by the relieving officer; or, in other words, the relieving officer stood above the medical officer in reference to an order given medically, and given, too, for food. Now, how were their criminals—men who had violated the law—treated in their gaols? He knew how they were treated, under the authority of the right hon. Baronet the Secretary of State for the Home Department; and, to his honour it should be spoken, they were treated well. Were the sick poor treated in the same manner as they treated criminals in the infirmaries of gaols? It was said that the medical officer of the union could order whatever he thought necessary; but he had shown that this was not done; for if the medical officer did what was required, he would not remain in his office. In gaols, on the contrary, without stint or restriction, and without the rebuke of the magistrates under whose observation he acted, the medical officer was authorised to order any quantity of nourishing food which he might deem advisable; and such things as arrowroot, sago, tea, and wine, were frequently granted. When persons were sick they were entitled to this extra consideration; he knew that some poor-law officers were generous enough; but in the great majority of cases the rule was precisely the reverse. Some returns throwing light upon the subject would shortly be moved for; and he hoped that the right hon. Gentleman would not object to furnishing information which would show the comparative diet in workhouses and gaols, and the comparative treatment of sick criminals and of sick poor. But, returning to these resolutions, he would ask, had the right hon. and learned Gentleman urged a single argument why they should not be adopted? Had he at all invalidated the evidence which was already before the House, and from which the noble Lord had so copiously quoted in support of his case? The demand was simply that these poor women should not be left to the humanity or discretion either of relieving officers or of boards of guardians, but that they should have a right, by law, to the attendance of the medical officer of the union when in labour with their first child. The right hon. and learned Gentleman must be well aware that applications for such attendance would come only from the destitute; the noble Lord, in fact, proposed, if the resolution were embodied in a Bill, to shield the ratepayers from every abuse of this concession. In the south and west of England such women as those for whom the noble Lord desired to legislate, were married to men who were in the receipt only of 6*s*., 8*s*., or 9*s*. a week; and at the moment when called upon to bear the agonies of child-labour they were in the most miserable of dwellings, and with scarcely anything deserving of the name of comfort around them. They were in a state of extreme destitution, and their whole family, consisting perhaps, of five or six or seven persons, was crowded into one room; but they were not considered paupers, inasmuch as they had avoided applying for relief from the union, and they were refused the privilege of having the medical officer to attend on them. This privilege was very small, in reference to the expense which would be entailed upon the country, but most important considering the vital service which it conferred upon the poor, and he did not see on what ground it could be withheld. He should be glad if the noble Lord would inform them from whom he received advice on this subject. It was to be hoped in this matter, even if it were so in all others, that he had not listened to the admonition of those who had preceded him in his office. He trusted that the right hon. Gentleman would act for himself on such questions—that he would remove all prejudices from his mind—and that, when he came down to the House, he would listen fairly to those remarks which might be offered in favour of a change in the present system. If things were to remain just as they had so long existed, great as were the talents and the capacity of the right hon. Gentleman, the country would be unable to discover what it had gained by the recent alteration in the Commission. He begged of the right hon. Gentleman not to persist in moving "the previous question." If he looked at the matter impartially he could not fail to see the propriety and necessity of the amendment in the law which the noble Lord now recommended. He would not enter into any of the other resolutions; he hoped that, on this one point at least, the right hon. Gentleman would relent, and thus indicate that he was not resolved, under all circumstances, to adhere to the principles which had governed the conduct of the former Commission.

Mr. HUME agreed with his hon. Friend (Mr. Wakley) as to the distress and destitution generally prevailing, and he wished it was in their power to ameliorate that necessary and inevitable state of poverty. Having, however, such a state of things to deal with, they ought to be cautious, lest, by legislative measures, they made matters worse. He was willing to admit that poor women, in the condition described by his hon. Friend, ought to have every possible comfort around them; but he looked to the probable effect of the resolution of the noble Lord, if carried, and he was decidedly of opinion that, instead of causing an improvement, it would be productive of more mischief than it intended to remedy. They had already passed many measures of a similar tendency, avowedly on the plea of humanity, and the consequence had been, that they had destroyed in a very great degree that habit of self-dependence, and that spirit of self-reliance, upon which alone they could depend for the well-being of a people. He thought that, to give to every poor woman, as the resolution proposed, the right to the attendance of the medical officer of the union on the occasion of her being in labour, would remove all incitement to precaution and preparation in families, and would only make bad worse. [Mr. Wakley: It is only proposed for the first child.] In all ordinary cases families did prepare and provide for such occasions; and to eradicate this habit of self-dependence would be to create a great social evil. It would, indeed, be a most dangerous proceeding in that House to establish such a legal claim upon the unions; it would take away occupation from a numerous class of women whose business it was to attend to childbirths. He had acted upon this principle in abstaining so long from approving of the poor-law; and he had always been of opinion that families would manage much better, generally speaking, if left to their own exertions in all such cases as those in which the noble Lord suggested interference. The poor-law had, undoubtedly, had the effect of weakening the feeling of independence among the people. He was entitled to say so from what he had heard from many intelligent men in Scotland; the introduction of the poor-law there, and the principle upon which it proceeded, had not, they stated, operated beneficially. This was the conviction of many of his own friends, who were observers and administrators of the law in Scotland; and they predicted that the people of that country would soon suffer from the absence of that prudence in their social dealings which formerly particularly distinguished them. On these grounds, he thought the House ought not to agree to these resolutions. His right hon. Friend, it appeared to him, had pointed out that the existing facilities were sufficient to effect all that was necessary in all cases of real distress. He was sorry to differ on such a question from his hon. Friend, whose humane motives were unquestionable; but he could remember many mistakes they had made in this sort of legislation, and he felt that he would not be doing his duty to agree to the present proposal.

Mr. C. BULLER would answer the question put to him by the hon. Member for Finsbury. The hon. Member expressed some doubts of his (Mr. Buller's) experience in these matters, and asked him by whose advice he had acted in opposing the resolutions of the noble Lord? This reminded him of a fact which he had forgotten to mention, and which, in justice to himself, he would now state to the House. Before deciding on this question, he had sent a copy of the resolutions round to every one of the gentlemen, lately assistant commissioners, who were now poor-law inspectors, in different parts of England and Wales. He attached great importance to the opinions of these gentlemen, from the ability they displayed in the zealous and energetic discharge of their duties, and from their intimate acquaintance with the subject. With respect to the first resolution, he had received written answers from seven of these nine gentlemen; he had verbal communications with other two gentlemen, who entirely agreed with the others; and they all, with the exception of Sir John Walsham, objected to the resolution, and took precisely the same objection. Sir John Walsham said that he did not see any objection to that resolution, provided only that some reasonable definition of the class of persons were substituted for the comprehensive words "every poor woman."

Mr. HENLEY was disposed to do every justice to the motives which had actuated the noble Lord in bringing forward this subject of medical relief; and he did not regret the discussion, inasmuch as it afforded him an opportunity of bearing testimony to the admirable mode in which the right hon. and learned Gentleman (Mr. C. Buller) had discharged the high and important duties of the office to which he had been recently appointed. It was quite true that there had been no material alteration in the rules and regulations of the Commission; but it was said on all sides, that the spirit in which the business was carried on was very different, and very much better for all parties. The right hon. and learned Gentleman had spoken of the estimate which was made in 1838 of the cost of the poor; but if he had examined the records of what was then going on throughout the country, he would have seen that the cause of the inquiry which was then made was the extreme dissatisfaction felt at the low rate at which the Poor Law Commissioners set down medical relief. They had, in the union with which he (Mr. Henley) was connected, procured a return of the amount paid in all their parishes for medical relief, and they found that the sum was 450*l.* They had discovered that in a union in Hampshire of the same area, and with the same population, the Poor Law Commissioners allowed only 300*l.* to the medical officer; and they put the matter before the medical gentlemen employed by them, and these persons agreed to accept that sum. The agreement was reported to the Poor Law Commissioners, who replied that they would not permit such a waste of money, and they cut the 300*l.* down to 295*l.* This was what originally took place; but the cost had again increased, and they had now to pay 450*l.* He did not think, therefore, that the medical officers had much reason to complain. He was far from saying that they were sufficiently paid; but, comparing their position with the circumstances in other unions, they had reason to be satisfied. They were, he knew, liberal enough in the orders referred to by the hon. Member (Mr. Wakley), and the poor had certainly not to walk twenty miles for relief. He regretted he could not give his support to the resolution of the noble Lord; but it was an universal proposition, and it did not apply to the persons most in need of relief. The hon. Member for Finsbury painted cases in very high colours; but, practically, in the great majority of instances, the poor were attended by medical men. He did not know why a woman wanting a certain kind of medical assistance should not apply beforehand for an order; but if her sense of modesty was so great, he did not see why her husband might not apply to the medical officer. For these reasons, although he was satisfied that the noble Lord's first resolution was brought forward with the best and kindest feelings, he thought great risk would be incurred, if it were adopted, of opening a door to indiscriminate relief.

Sir W. CLAY was satisfied that no better choice could have been made than the right hon. Gentleman (Mr. C. Buller) for the important office he filled, and that that was the general feeling of the country; still, the reasons assigned by the right hon. Gentleman for resisting the Motion of the noble Lord were not convincing, and he (Sir W. Clay) must support the noble Lord's Motion. There was no form of eleemosynary assistance either so important to the poor or so little liable to abuse as the one in question; it was a form of medical assistance which the poor were least able to obtain. The expense of medical relief to the poor amounted to 175,000*l.* per annum, out of 5,000,000*l.*, the amount of the whole expenditure, or little more than 2 per cent. They were, therefore, not dealing with a branch of poor-law relief of great extent; nor could they be led to believe that a small addition to it would occasion abuse. No doubt, under the terms of the noble Lord's Motion, any person might apply for relief, even the wife of the squire of the parish; and the Motion was undoubtedly open to that objection; but the noble Lord met it in this way—if it should appear that any improper use were made of the power he meant to give to the poor, he proposed to give the power to attach wages. With respect to the objection as to the impolicy of interfering in this way, and thereby destroying the self-reliance of the poor, that had been already done, and this was only a modification of past legislation. If the right hon. Gentleman persisted in moving the previous question, he (Sir W. Clay) must support the Motion of the noble Lord; but he would rather that the noble Lord withdrew his Motion, upon an assurance from the right hon. Gentleman that he would take care to embody the resolutions in the regulations of the Poor Law Board. For these reasons, though with extreme regret, he must, if persevered in, oppose the Amendment of the right hon. Gentleman.

VISCOUNT EBRINGTON said, though he differed from the noble Lord in the result at which he had arrived, he sympathised with his motives, and gave him credit for the manner in which he had brought forward his Motion. The object of the noble Lord's first resolution seemed to be provided for by a general order of the late Poor Law Commissioners. The hon. Baronet who spoke last said, if the power proposed to be given by him to the poor were abused, he was willing to let the wages be attached. Under the present law, if a medical officer, *suo periculo*, attended a woman, and it was found that she was not entitled to relief under the poor-law, there was nothing to prevent the Commissioners from declaring that the assistance was obtained by way of loan, and attaching wages. In reply to the hon. Member for Finsbury, he would state, from his personal knowledge as vice-chairman of a board of guardians, that where a medical officer administered assistance in urgent cases, it was almost always sanctioned by the board at the next meeting. He agreed with those who thought that such legislation would break down the spirit of independence and self-reliance of the poor. If the subject of medical relief was dealt with, it must be dealt with as a general question.

CAPTAIN PECHELL hoped, that in the course of the next vacation, the right hon. Gentleman (Mr. C. Buller) would consider it a part of his duty to go down and visit all the poor-law unions, the boards of guardians, and the medical officers; he would then see the way in which medical relief was applied in the Gilbert as well as the other unions. He believed, with the hon. Member for Finsbury, that there was not one case in a thousand of improper application; and he believed that was the only objection to the resolution urged by the economical Gentleman sitting in his neighbourhood (Mr. Hume). He should certainly give his cordial support to the Motion now before the House, for he thought that no money could be better bestowed than that which it was intended to expend in carrying these resolutions into practical effect. There was no one who attended the proceedings of the Committee which investigated the case of the Andover union that could for a moment doubt the conclusions at which that Committee had arrived. With tho recollection of the case fully before them, he hoped that the House would see the necessity, or at all events the expediency, of enabling the noble Lord to create an opportunity of seeing what could be done. It had been stated before the Andover Union Committee, that when an ablebodied man applied for relief, the relieving officer insisted upon his going into the workhouse, put him to hard labour, and that was what they called testing. In the 8th Resolution of the Committee, on the subject of relief, they said—

> "That on the application of an ablebodied man for relief, on account of sickness in his family, and also in some instances where the applicant has

> been partially disabled, the Andover board have required as a condition upon which such relief is made dependent, that he should perform a certain task of work at the workhouse, the amount of food allowed to him not being supplied until such task is completed; and although, as stated by some witnesses to have been the case, this practice may have been only adopted as regards the ablebodied applicant, where he is out of work (and under circumstances, therefore, which, were it not for the sickness in his family, would render admission to the workhouse the only relief applicable in that union to the case), still the Committee think, that the annexing this condition to the relief otherwise deemed necessary, and especially where parties are brought long distances from their homes to execute the task imposed, is (except under suspicion of fraud or gross imposition) an unduly severe mode of administering relief."

That was but one case—many more equally flagrant cases might be quoted; and he should certainly hereafter take an opportunity of drawing the attention of the House to those cases, if, after having given a fair trial to the right hon. Gentleman, he should be found wanting. He agreed with the hon. Member for Finsbury in denouncing the manner in which medical men had been treated by the poor-law officials; and he also agreed with him in opinion that the poor suffered severely in consequence of such treatment. There was Mr. Westlake, the surgeon of the Andover union—he was an able and a zealous officer, and he had been snubbed by the guardians, and forced from his office merely for doing his duty. He had gained the respect of all in his neighbourhood, but he was ousted from his office; and it was well known that medical men were generally ruined in their profession if they did their duty to the poor. By doing his duty to the poor, Mr. Westlake had acquired the ill-will of the board of guardians, with the Rev. Dr. Jobson at their head, and he had lost his office in consequence. But when he was ousted from his office, the poor still came to him; and he, from motives of humanity, attended them without a reward; but the vengeance of the guardians was called down upon all those unfortunate persons who went to Mr. Westlake, and they all suffered in consequence. Then there was the case of the Halifax union, of which the right hon. the Chancellor of the Exchequer was a guardian. The surgeon of that union had stated the area in acres of the union, the amount of the population, and the amount of the expenses which he had incurred. It appeared that he was required to do for a small salary that which could not be well done even by two medical officers. The surgeon of that union, Mr. Garnett, stated that he had paid 685 visits to paupers in one quarter of a year, and that over and above the amount of his salary he had dispensed in that period 985 mixtures, 2,285 pills, 879 powders, and numerous lotions, liniments, and plasters; in all he had dispensed 4,063 articles more than he had been paid for. The area of the union was 6,990 acres, and the population was 19,881. His salary for attending the paupers of this district averaged 4*s.* 4½*d.* per head per annum. By the present system, the medical profession was aggrieved, and the character of the poor was lowered. He hoped the noble Lord would persevere in his resolution, and he would stick to the noble Lord.

Sir H. VERNEY thought it was absolutely necessary the poor, even in childbirth, should have all the assistance that science could render to them; and, therefore, he should support the resolution. There was no danger of destroying the character of the lower classes by supplying them with medical relief. They need not be afraid of being too lavish of medical relief to the peor, for they would never apply for that species of relief unless they absolutely required it. Boards of guardians could not be too economical as regarded other sources of expenditure; but with regard to medical relief, he felt that they had not been sufficiently—he could not say liberal, but—easy in their treatment of the poor. He hoped the noble Lord would not only press this resolution, but that he would persevere in his other resolutions also. He thought that if these resolutions were agreed to, they would be productive of the utmost advantage to the poor. He was not at all satisfied with the statement of the right hon. Gentleman; and he believed, that under the old system the poor, as far as regarded medical relief, were much better attended to than they were under the present system. This was the first step taken in a right direction, and he had great satisfaction in supporting the noble Lord.

Mr. ADDERLEY said, that the more legitimate way of meeting the difficulty complained of by the noble Lord, and which he sought to remedy by his resolution, would be to encourage parochial lying-in societies. There were many such in existence at present, which were supported by the poor themselves; but if this resolution were carried, not a single person hereafter would enter one of these societies. If the Government would encourage these societies, they would remedy the evil of which complaint was made, in a more legitimate manner than by consenting to this resolution, which proposed, in order to arrive at a doubtful good, to inflict a positive evil.

The House divided on the previous question:—Ayes 37; Noes 50: Majority 13.

List of the AYES.

Anstey, T. C.
Brotherton, J.
Cabbell, B. B.
Clay, J.
Clay, Sir W.
Cowan, C.
Drumlanrig, Visct.
Duncan, G.
Fagan, W.
Fitzroy, hon. H.
Haggitt, F. R.
Hardcastle, J. A.
Hindley, C.
Hood, Sir A.
Jones, Sir W.
M'Naghten, Sir E.
Muntz, G. F.
O'Connor, F.
Pearson, C.
Pechell, Capt.
Perfect, R.
Plowden, W. H. C.
Raphael, A.
Reynolds, J.
Scholefield, W.
Stuart, Lord D.
Thicknesse, R. A.
Thompson, Col.
Trevor, hon. G. R.
Turner, G. J.
Verney, Sir H.
Wakley, T.
Walmsley, Sir J.
Wawn, J. T.
Westhead, J. P.
Williams, J.
Yorke, H. G. R.

TELLERS.

Ashley, Lord
Spooner, R.

List of the NOES.

Abdy, T. N.
Adderley, C. B.
Armstrong, R. B.
Baring, rt. hon. F. T.
Barnard, E. G.
Bennet, P.
Berkeley, hon. Capt.
Blackall, S. W.
Buller, C.
Burroughes, H. N.
Campbell, hon. W. F.
Cubitt, W.
Deering, J.
Devereux, J. T.
Dundas, Adm.
Ebrington, Visct.
Fox, R. M.
Fox, W. J.
Gibson, rt. hon. T. M.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Hayter, W. G.
Heathcote, Sir W.
Henry, A.
Hume, J.
Keppel, hon. G. T.
Labouchere, rt. hn. H.
Langston, J. H.
Lewis, G. C.
M'Gregor, J.
Magan, W. H.
Maitland, T.
March, Earl of
Masterman, J.
O'Brien, J.
O'Brien, T.
O'Connell, M. J.
Parker, J.
Pilkington, J.
Prime, R.
Romilly, J.
Scrope, G. P.
Smith, J. B.
Somerville, rt. hn. Sir W.
Thornely, T.
Willcox, B. M.
Wilson, M.
Wood, rt. hon. Sir C.
Wyld, J.
Wyvill, M.

TELLERS.

Hill, Lord M.
Tufnell, H.

The resolution accordingly was not put.

LORD ASHLEY then moved—

> "That in the event of its being considered necessary to destroy the child, in order to save the life of the mother, the union surgeon shall be at liberty to seek the assistance of another competent practitioner, if he see fit, before the necessary operations are performed, and who shall be paid for the assistance rendered, on producing to the union or proper officer the joint certificate of the union surgeon and himself that such consultation and aid were essential, previously to the expected legal and necessary deprivation of life."

MR. C. BULLER assured the noble Lord that in respect to this resolution every thing that could be done by instructions from the Commissioners would be done.

LORD ASHLEY having that assurance from the right hon. Gentleman, withdrew the resolution.

LORD ASHLEY, in moving the third resolution, said that it was important there should be a competent person who should see all that was going on in the union, should make his observations, and report his progress to the Central Board sitting in London. It was essentially necessary that there should be some supervising body of this description. Hon. Gentlemen would bear in mind that the number of poor-law medical officers at this moment amounted to nearly 3,000 persons, and that was a body of men discharging very important duties, who ought to be subjected to some system of regular inspection. There were inspectors for the Army and Navy medical staffs; and when the great importance of the interests at stake was considered, the vast number of persons who were engaged, and the great duties they had to perform, and the real concern which the whole country had in the due performance of those duties, it must be acknowledged that it was necessary to have a body of officers who should keep the Government daily apprised of everything that was going on. It was necessary to have some authority to settle the disputes which were constantly arising between the boards of guardians and the medical men. Many other duties might be given to this body of men. It might be their duty to make a supervision of all the drugs, for he believed that a vast deal of money was thrown away by the administering of inferior drugs. The House had no knowledge whatever of the general system of medical relief. He believed that the board of Somerset House was utterly ignorant of the whole system of medical relief. The fact was, that these parties, having great and responsible duties, were left altogether without control, except the local control of the board of guardians, and which the board of guardians was incapable of exercising. It would also, he believed, have a very beneficial effect in keeping all these medical officers alive and active in discharge of their duties; because the periodical inspectors should not only report what was done, but the mode in which relief was administered. This might appear from their case-books. There was another duty which might devolve upon them. He believed that nothing was more beneficial to the condition of the poor, and the right administration of public business in this matter, than the regular medical inspection of all union houses throughout the country; and that should be done, not by persons locally interested, but going the circuit from the central body, who would without fear or favour report all they should see. If there could be any doubt of this, look at the document which had just been laid on the table of the House. This document was a report on the capabilities of metropolilan workhouses for the reception of inmates. It reported on thirty-eight metropolitan union houses. Of those thirty-eight more than thirty had one great and leading defect, viz., that they were decidedly hostile to the health of the inmates: thirty-three were in a bad state of ventilation. They were beset by nuisances of all descriptions, not only nuisances belonging to the establishment, which it was difficult to remove, but nuisances occurring in the centre of the building, under the control of the authorities, which might be removed. Take the case of the Whitechapel union. In 1844, when the evidence was taken, the Whitechapel union was stated to be in a very bad condition. What was the report in 1848? The present state was horrible. Mr. Reid, the medical officer, died some time ago of typhus fever; his successor, Mr. Forster, also died. The next medical officer, after a trial, resigned. Observe what total want of economy this was. He did not believe there was any one system so utterly wanting economy as this system, which made no provision for clearing away the nuisances and for ventilation. The fact was that these houses, through ignorance or inattention, bred the very disorders they wished to avoid. If the relief were duly administered, and if there existed a body of men whose business it should be to look into these matters, in a short time they would more than cover the slight increase of expenditure. His right hon. Friend would admit to him that a very large proportion of the business of the poor-law was taken up with medical matters, a large proportion of which might be settled on the spot, by the medical inspector adjudicating the matter between the guardians and the medical men. He had been looking at the evidence given by a former Poor Law Commissioner, who said—

> "Complaints against medical officers as to the performance of their duties are extremely common —I think more common than any class of complaints. I have been told that a very large proportion of the correspondence in cases which the Poor Law Commissioners have to decide, is from cases arising out of disputes between the guardians and medical officers."

He believed, above all, that the establishment of these inspectors would have a beneficial effect on the state of these union workhouses, in making some provision for the public health, so that people might be restored, instead of having their disorders confirmed. He therefore moved—

> "That it is expedient that medical inspectors be appointed by the Poor Law Commissioners, or by the Secretary of State, or with his sanction; one to each district to which an assistant poor-law commissioner or inspector is attached, at a salary not exceeding 600*l.* a year, exclusive of travelling expenses, and exclusive of allowance of a clerk, if the duties should require one. That the duty of the medical inspectors should be to inspect and report on the medical treatment of the poor of the different unions, and on the fitness of the medical men appointed by the unions; to inquire particularly into the treatment of the sick poor in the union workhouses, and to regulate such treatment; to inquire into and report on the diets and healthful condition of the poor within them generally, together with such other sanitary duties of every kind as may be required of them by the Secretary of State, or by the Poor Law Commissioners; and particularly with respect to the number of medical officers who ought to be employed in each union, and under the sanction of Poor Law Commissioners, to fix the salaries which ought to be awarded to them for their services in each particular union, or part of a union, in the district."

Mr. C. BULLER said: Sir, I am sorry that I feel obliged to take the same course with reference to this resolution as I did with regard to the previous one; but I must guard myself by saying at once that the objects which the noble Lord wishes to secure by means of a staff of medical inspectors are objects in which I fully concur, and that no person would properly administer the duty which I have undertaken, if he did not at least endeavour to attain them. My only objection to the plan of the noble Lord is, that I do not think the costly and complicated machinery which he proposes would afford the best means of arriving at the results at which he aims. I will not dwell much on the question of expense. But the noble Lord proposes that wherever there is a poor-law inspector, a medical inspector, with a salary of 600*l.* a year, shall be added. There are ten poor-law inspectors at the present moment. The

Bill under which I hold my present office, as originally brought in, gave power to increase the number only to twelve; but that limitation was originally struck out, on a ground in which I entirely concur, namely, that the utility of the poor-law depends almost entirely on the labours of the inspectors. And here I must beg the House to observe, that though we hear so much of the powers of the Poor Law Board, those powers are in reality limited. It seems to me to be the proper function of such a board to superintend the whole administration of the poor-law. I think that all which passes in the different unions should be made known to the proper authorities—that uniformity of system should, as far as possible, be maintained—that obedience to the law should be enforced—that the guardians should, in every case of difficulty, have the advice of an inspector—that the inspector should ascertain, at the outset, the growth of any abuse existing in any particular union—and that the Poor Law Board, exercising its power in the way of supervision, of advice, and, very rarely, in the way of absolute control, should endeavour to keep the general administration of the law accordant with certain fixed principles. I rejoiced at the decision as to the number of inspectors, because I thought that an increase in that department would do more than any thing else to render the poor-law available for the well-being of the people of this country. But I must say that I shall be rather hampered in making such appointments, if every appointment that I do make is to carry double—if, that is, whenever I nominate a poor-law inspector, I am obliged to add a medical officer with a salary of 600*l.* a year. Take the case, however, as it now stands. At present there are ten poor-law commissioners. The noble Lord proposes at once to add ten medical inspectors, whose combined salaries will amount to 6,000*l.* a year; while another 6,000*l.* a year would probably be required for clerks. For any useful purpose this country would not grudge such an amount; but I think that in administering the poor-law, I should find my efforts impeded rather than assisted by the appointment of ten medical inspectors. Now, I do not mean to pledge myself against the appointment of any medical inspector; I have, from the very first moment of entering upon my office, suggested to my right hon. Friend the desirableness of having some persons who would be able to advise in medical cases. [An Hon. MEMBER: In every union.] There would then be 600 medical inspectors; and I must say, that if all the duties pointed out by the noble Lord are to be properly performed by means of inspectors, 600 would not be many. Let me state, however, what is the ground of difference between the noble Lord and myself. It seems to me an essential part of poor-law administration, that it should be very much in the hands of the local authorities. Before coming into office I strongly expressed my belief that the civilisation and prosperity of this country were mainly owing to our having the principle of self-government. I am perfectly sure that it is in consequence of the practice of local administration that the poor-law has not by this time become an intolerable abuse; and I hope that by the steps which this House may take while arriving to obtain perfection in the administration of relief to the poor, it will be careful not to shake the foundations of the poor-law by impairing the independence of boards of guardians, and causing relief to be entirely administered, not by the guardians, but by persons at Somerset House, and those who hold authority under them. I do not think that I at all compromise the principles which I have before expressed, by undertaking the administration of the poor-law as it at present exists, for I believe that the law combines the principle of supervision and the energy of local authority. Now, instead of leaving it to boards of guardians to determine as to the competency of medical officers, the noble Lord would take this authority out of their hands, and override them by a set of medical inspectors, who, however limited might be their powers at first, would ultimately administer relief instead of the guardians. The first object of the noble Lord is, that the inspectors should inspect and report on the medical treatment of the poor of the different unions, and on the fitness of the medical men appointed by the unions. This appears to me far too large a power to be intrusted to only ten men. I do not know why there is to be a report from ten persons as to the medical treatment of the poor generally. Supposing a medical inspector to visit a poor-law union for a few hours once in six months, I should like to know how he would thus be made competent to form a proper judgment on the vast and complicated question of the general medical treatment of the poor. Do not suppose that I object to the powers with which the noble Lord desires to invest me, from a feeling of laziness or from a wish to avoid responsibility. I do say, however, that if you wish the relief of the poor to be well administered, you ought to leave it to those who are locally qualified to judge, and not to a set of salaried functionaries, visiting the unions only for a short time after long intervals. The noble Lord wishes the inspectors "to inquire particularly into the treatment of the sick poor in the union houses, and to regulate such treatment." What does he mean by "the regulation of such treatment?" Is the officer, for his salary of 600*l.* a year, to go down to a workhouse, in which there are 400 or 500 persons, to ask the medical officer, "How do you treat this man?—What medicines are you prescribing for that man?" and then, after receiving answers to his questions, to turn round and say to the officers, "You have not been treating these people properly!" The only tendency of such a course must be to involve the medical inspector in a quarrel with every officer of every union workhouse which he visited. With regard to the diet, I will only say, that on that subject I am ready to give information so far as I can; and I think I can perform that duty quite as well as any medical gentleman could do if its discharge devolved upon him. There is one point on which I entirely agree with the noble Lord. I think that medical officers might from time to time, say once in two years, very usefully inquire into the general sanitary condition of workhouses. That is a matter upon which boards of guardians throughout the country are no doubt rather deficient. I do not wish to speak harshly of them, but their position is somewhat similar, perhaps, to that of the House of Commons in reference to ventilation and matters of that kind. It might be useful, I repeat, to have the opinion of medical men on such subjects, and, without prejudicing myself as to details, I will say, that I am prepared to take measures for securing that object. Then comes the question, which, coupled with the next resolution, appears to me exceedingly important, of having an independent medical establishment, extending, somewhat like the Church establishment, all over the country. The inspectors are also to report "particularly with respect to the number of medical officers who ought to be employed in each union." That is not a very difficult problem to solve; "and, under the sanction of the Poor Law Commissioners, to fix the salaries which ought to be awarded to them in each particular union, or part of the union, in the district." So that, you see, by this plan, the regulation of salaries is taken entirely out of the hands of the boards of guardians. The guardians are to have no authority in that respect. The salaries are entirely to depend on the report of the medical inspectors, and the decision of the Poor Law Commissioners. I must say, I do not think it would be either wise or just to vest the power of fixing salaries in a central board, without reference to the wishes or means of the district. If this proposal be acceded to, the House ought to go one step further, and make the charge national; for it does seem to me to be the height of injustice to impose the very same burden on the poorest union in Wales as you impose on the richest in London. There are parishes in Wales in which the average rental is about 6*s.* a year—there is the parish of St. George's, Hanover-square, in which the average rental (as was understood) is about 600*l.* a year. It is certainly requisite that there should be an adequate salary for medical men; and I think, therefore, that Parliament did right in deciding that half the amount should be paid by the Government itself. Now, let us just see whether medical inspection on the plan proposed would tend to harmonise the working of the poor-laws. We already have reports from inspectors as to the salaries of medical men. A medical inspector, I will suppose, thinks that a particular salary is too small, and he goes to the board of guardians—states his opinion, and then lets the matter rest. I put it to any man in this House to say, from his knowledge of the world, whose recommendation would have the most weight with the boards of guardians—that of the poor-law inspector, who is not a medical man, and who says they ought not to raise a particular salary; or that of the man whom the guardians probably describe as "one doctor," recommending an increase. I say, that if your end be gradually to obtain for medical men throughout the country adequate salaries, unless you do not mean to allow boards of guardians any choice in the matter, the interference of medical inspectors will only place obstacles in the way. I think that by taking this matter entirely out of the hands of boards of guardians, and saying that medical inspection and relief shall be conducted without any reference whatever to their wishes and opinions, solely on medical authority, instead of securing what you desired, namely, a good system of medical relief, you will damage the whole system of poor-law administration from one end of the country to the other. But I can assure the noble Lord that I am not indifferent to any of the objects which he has in view; and if he will only allow me, in my slow way, to attempt to attain them, I will do the utmost in my power. I should not like this large staff of ten medical officers; nor do I think they would do any good. In my opinion the proposal is far too large to meet the end. But that end itself—the supervision, medical treatment, and general sanitary condition of workhouses—is one which I can assure the noble Lord I have at heart as much as he himself has. If the appointment of a medical inspector shall appear, as I think it will, necessary, he may be sure that I shall not shrink from supplying the void; and he may also rely upon it that in every other respect I will endeavour to promote the ends proposed in his resolution. In that resolution I may observe, he has spoken of "sanitary duties of every kind." At the present moment I think it would be unwise to make any great change in that respect, or to go beyond mere poor-law purposes; for there is before the House a very extensive measure with respect to the sanitary condition of the country, creating a very large, and, I hope, a very efficient, machinery for that purpose. Even if it be thought desirable that there should be a body of medical inspectors charged with the performance of sanitary duties, I must say it appears to me far better that we should wait until we see how far the machinery of that new system to which I refer is applicable to the purpose, than that we should at once adopt any extensive plan for increasing poor-law inspection. It is upon these grounds that I venture to meet this question in the way that I have done; unless, indeed, the noble Lord will take the assurance which I have held out as an earnest of my intention to do my best towards obtaining his objects, I will wait until circumstances shall enable the House to determine more satisfactorily than it could do at present, to what extent this increase in the medical or sanitary department shall proceed.

Mr. WAKLEY said, that the right hon. and learned Gentleman had acknowledged that as soon as he got into office he found he was in want of medical relief. That was a want which he thought likely to continue. He was afraid that the right hon. and learned Gentleman was in a very bad state. He believed that there never was such a persecuted state as that of the medical profession. The situation which the right hon. Gentleman occupied ought to have been filled by a medical practitioner, and that every man in England knew who was acquainted with the duties which the right hon. Gentleman had to perform. If a medical man had been placed in that office, he would not have wanted, as the right hon. Gentleman did, a medical adviser; he would not have required, like the right hon. Gentleman, a nurse to help him. It was lamentable to see that the right hon. Gentleman was getting bewildered, absolutely bewildered. That vivacity, that clearness of mind, that logical closeness in argument, which formerly distinguished him, were gone—absolutely lost. He was surprised to hear the sort of answer which the right hon. Gentleman had given to the noble Lord. He had stated that at present there were ten inspectors, whose duty it was to inquire into the state of every union in England and Wales. These inspectors were to examine into the whole affairs of the union, and to ascertain in what manner all of the officers discharged their duties, and to look into the accounts as well. Well, then, the right hon Gentleman asked whether the House could believe that ten medical inspectors could discharge the duties which the noble Lord's resolution would assign to them. Why, the medical part of the inquiry was but a portion of the duty which devolved upon the inspectors, and yet there was not one medical man among them. There was an editor of a newspaper appointed the other day, who probably never before saw the inside of a workhouse in his life. The right hon. Gentleman had certainly shown a favourable disposition towards the medical profession; but he (Mr. Wakley) recommended him to beware. What advisers there might be about the Poor Law Board he did not know, but he must say that hitherto it had exhibited a hatred of the medical profession. In all the places where medical men should be put, the country found lawyers. He trusted that medical men would have sense enough to feel indignant at this treatment, and that in the end they would physic their oppressors. It was true that there had been one medical gentleman appointed, Dr. Kay, who rendered immense service to the poor, and gave great satisfaction in the unions which he visited. He must say it was a strange thing that when the noble Lord so properly, and generously, and consistently demanded the appointment of these medical officers, the plea of the Government was economy. It was said they might cost the country 6,000*l*., or even 10,000*l*. Was that so great an item when so many millions of poor were concerned? He had known 75,000*l*. voted in that House for Royal stables, and 150,000*l*. for repairing a palace; but 10,000*l*. was a large sum, forsooth, for the poor! He maintained that the sum was not worthy of being mentioned, when the vast importance of the subject was considered. The noble Lord had rendered a great service to the poor and to the interests of humanity in making this proposition; and he could assure the right hon. Gentleman that he would live to know that without medical inspectors the poor would never receive proper medical treatment. Now, what were the duties which these men would be called on to discharge? He did not think that they ought to be called upon to decide as to the fitness of the medical officers, nor that it would be in their power to regulate the medical treatment of the poor. He thought the right hon. Gentleman quite right in his objections to these two points. The business of the medical inspectors should be to inspect and report; and it was on this account he regretted that among the Poor Law Commission there was no medical man who could understand their reports. They would have to go into a district, and make their inspection, and ascertain how the poor there were treated; whether they were adequately attended to, whether drugs were properly supplied, and if the drugs were of proper quality. They would furnish the Poor Law Board with the most perfect information on what was passing in the district, which the right hon. Gentleman could not obtain now. With all his acuteness, when he got into office the right hon. Gentleman found that he wanted medical information, and persons without his ability must want it still more. He must in fairness observe, that all the responsibility of these proceedings did not rest on the right hon. Gentleman alone, for the Secretary of State for the Home Department, and the Chancellor of the Exchequer, were members of the Commission, and the noble Lord sitting between them (Lord Ebrington) was its Secretary. How the noble Lord got his office he did not know; he supposed because he was considered capable of superintending the grinding of bone dust, the noble Lord having approved of that practice in the Barnstable union. The medical profession asked for appointments suitable to their profession—they were not selfish in their views—for no profession were less selfish or made more sacrifices than medical men. Look at the harrowing scenes of distress and misery which came under their notice, and which agonised their feelings, because often unable to relieve them. Such risk did they run, that some of the assurance offices would not insure their lives. Last year, in Ireland, one out of every fifteen of the medical officers died, in consequence of attending workhouses where fever raged. In England, also, many medical men had died from diseases caught in the exercise of their professional duties. They carried on business at the risk of their lives, and yet no class of men were so inadequately paid, or were more unfortunate in that House, when any application was made in their behalf. He held in his hand a petition from a medical man named Haslam, the surgeon of the Carnarvon union. The circumstances in this petition were emblematical of what would be found in every union in the United Kingdom. *Ex uno disce omnes.* The petitioner stated that the district which he attended averaged three miles in a straight line in extent. There were 11,000 persons, with a large proportion of paupers among them. The number of paupers was 2,600, and the stipend for providing them with medicine and surgical applications was 50*l*. per year. The petitioner had repeatedly represented these facts to the Poor Law Commissioners, and those facts had been verified by the assistant poor-law commissioner. The petitioner stated that his expenses were 40*l*. per annum, leaving only 10*l*. yearly for the occupation of his time and his medical services. It appeared, further, that this system was not to be altered. But how could a man support his wife and family, and continue to make such sacrifices for the poor? The petitioner stated that he appealed to the Poor Law Commissioners for an increase of salary, but without effect. He feared no change for the better would occur, as the poor-law guardians there were decidedly illiterate persons, and hostile to qualified practitioners. He wished to know whether the right hon. Gentleman was acquainted with this case. He believed that the noble Lord and the right hon. Gentleman, both Commissioners, wished all poor-law petitions to be referred to their office. This was a novel mode of proceeding; and, assuming that the House would permit such a practice, he hoped the House would require the Poor Law Commissioners to make an official report on all petitions which might thus come before them. From the tone and manner with which the right hon. Gentleman had addressed the House, he feared the right hon. Gentleman had formed a decided opinion on the question, and was inflexibly hostile to the noble Lord's Motion. He begged to say that the noble Lord had paid the greatest attention to the subject when it was before the Committee in 1844. The noble Lord had seen and examined many medical practitioners; and the result of their evidence thus obtained was the present Motion. The right hon. Gentleman indirectly acknowledged the value of medical inspectors for medical matters, when he enlarged on the value the reports from other inspectors were to the Poor Law Commissioners. If the Poor Law Commissioners derived so much information from inspectors who were non-medical, how much more information would they get from a qualified body of men? If the right hon. Gentleman proceeded with his opposition, he hoped he would be left in a minority. But he hoped the right hon. Gentleman would relent at the eleventh hour; for the noble Lord's Motion was not only intended to work advantage to the medical profession, but to prove a benefit to the poor themselves.

Mr. HENLEY said, that this Motion had certainly not received so decided a negative as it ought to have received, for a Member of the Government said, in answer to it, " Only let me act in my slow way, and I will carry out the object which you have in view." He did not approve of the appointment of an additional number of inspectors, and, therefore, he should enter his protest against any mode of proceeding, slow or otherwise, which would effect that. The hon. Member who had last spoken seemed to have taken quite a different view of the question from him, for he had characterised it as one containing a very simple question. He (Mr. Henley) did not think that these resolutions contained a simple or narrow question. There was a wider question contained in it than the mere appointment of these ten medical inspectors. He believed that the difficulty under which the Government had laboured since the introduction of the new poor-law, was, that they had taken too much of the responsibility of its administration on themselves, and, therefore, the public was disposed to throw the whole onus of the law, and its execution, upon the Government for the time being. If this step were taken, it would throw upon the Government an additional share of responsibility, without enabling them to discharge their duties, in respect of the poor-law, any better than before. There were at present 3,000 medical men working under the new poor-law at the different unions. Supposing a medical inspector, such as those proposed, should work 300 days in the year, he could at best only overlook one officer in a day, so that in all probability he would only be enabled to see each individual medical officer under his charge once in the year. He had heard it stated that evening that one medical officer overlooked a population of 11,000, 2,600 of whom were paupers. What would be the use of one day's inspection over the treatment of such an immense mass? Directly they appointed these medical inspectors they would virtually relieve the guardians from all responsibility. The medical inspectors would take it all on themselves, and yet be able to do very little. He had that day heard, on high authority, that it was the intention that each medical officer should be overlooked once in six months. The inspectors would not have time to do it. [An Hon. Member: Barely.] These inspectors could not ascertain by personal inspection the condition of the poor in any particular district, and yet they were going to appoint some ten or more gentlemen, at a considerable public expense, to go about regulating the condition of the poor, when they could have but very slight grounds upon which to draw up a report, and who would relieve the only parties in reality responsible from those duties which devolved upon them, and in that way do the poor mischief instead of good. The system, however, did not stop at the appointment of these ten inspectors; for they were informed that these parties were to be perfectly independent of all authority. There was to be no control over them; and the House had heard the hon. Member who had just sat down say, in referring to the medical body, " Only let them get you into their hands, and then see how they will physic you." That was a good prospect;

but he believed that the people of this country would rather be fed than physicked, and they would rather trust themselves in the hands of those whose duty it was to look after their being fed, than to the mercies of those who had only their physic to attend to. With regard to the question which had been raised as to the duties of these gentlemen in looking to the diet of the workhouses, he could not see how a medical man should be better acquainted with the mode in which the diet of a workhouse was to be conducted than any other man; and if that power were given to them, it would relieve the local authorities from their duty. He felt that this result was fraught with the greatest evils, for even at present there was a difficulty in getting the local authorities to act. There would be no difficulty in carrying out the poor-law efficiently if they got proper persons to put it in execution; and, certainly, if they removed the higher and more important class of duties from the present officers of the law, they could not expect better men in their places unless they created machinery which was not now adopted. They could not, perhaps, as the noble Lord had said, get a central authority which would discharge more ably those duties which were at present indifferently discharged by the local authorities; and thus the poor would suffer in the end. These were his opinions; and he, for one, should therefore give his decided opposition to the Motion of the noble Lord.

Captain PECHELL said, that the hon. Gentleman who had just sat down had not dealt fairly with this question. He had referred to the question of diet and to the poor wanting food. The hon. Member had stated that these medical officers would be deficient in their duty to the poor by ordering physic instead of food. The hon. Member for Finsbury had often referred to this subject, and had expressed his opinion that it was from the want of food that physic became necessary; and it was not to be supposed that the poor would be kept on such a diet as to keep them constantly in the hands of the medical man. This Motion had been objected to by a right hon. Poor Law Commissioner, on the ground that it introduced the new doctrine of interference with the local administration, and also upon the score of expense. Now, as to the score of expense, there were, he maintained, quite sufficient funds in the Poor Law Commissioners' Office, and the rest of the machinery connected with it, to sustain the additional expense of the noble Lord's proposition. A fair and equal adjustment of the income-tax would produce from the Poor Law Commissioners' establishment quite sufficient to defray the expenditure incurred. As to the interference with the local management, there was strong evidence to show that the interference of the Government authorities, if exerted at proper times, would be beneficial both to the ratepayers and recipients of parochial relief. The hon. Member for Finsbury had clearly shown that they might safely dismiss that point from their minds. There was a similar system of inspection in operation with reference to the naval hospitals, by a Commissioner at Somerset House, which was beneficial. It had been asserted that the appointment of these ten medical officers was uncalled for, for that any person could look after the diet. It was, however, the general practice to refer the question of diet in all public establishments to the medical officer. On board ship the inspection of even the cook's coppers was intrusted to the medical gentleman, though it might be supposed that any of the petty officers was competent to that duty. The hon. Member for Finsbury was perfectly correct when he said, that if they could shove in a lawyer, they would do so to the invariable exclusion of the medical man. He considered, however, that this Motion was a step in the right direction, and that it could not be fairly opposed on the ground of expense. The objection to its interference with local managements could not be maintained on any decent ground. He should be glad if the noble Lord would make one alteration in his resolution—the alteration suggested by the hon. Member for Finsbury; but sooner than lose the Motion he would be content to take it as it was. There was a power taken in a late Act of Parliament, by which when any complaint was made from any union, that an additional officer should be appointed to investigate it. The Poor Law Commissioners had nothing to do with the appointment, which was in the hands of the Secretary of State; and he should be glad to see that power continue to remain in his hands with regard to these officers. He objected to the resolution only on the ground of the provision which it contained for the appointment of these officers. With regard to the Poor Law Commissioners not having time to visit the unions, it was their business to do it, and they must find time for it. The Commissioner of the coast-guard might say, that he had no time to go round in consequence of his onerous duties at Somerset House; but that Commissioner did find time to go his rounds, and to discharge those duties also. Why, therefore, should not the Poor Law Commissioners do so? They would neither visit the unions themselves, nor let the House appoint proper medical men to do so. The medical body were hardly treated, and he hoped that the attention of the noble Lord would be directed to that fact, and that he would not suffer the objections made by the Poor Law Commissioners to operate to the disadvantage of that useful and deserving class.

Lord DUDLEY STUART said, that he was placed in some difficulty with regard to one part of this Motion, and from that portion he must withhold his assent. He thought, upon the whole, that great credit was due to his noble Friend for bringing this subject before the House, and he only regretted that it was brought forward amidst so thin an attendance of Members. The House was full enough when the subject of the income-tax was under discussion, as that affected the interest of the middle classes; but now, the subject vitally affected the interests of the poorer classes only, he was sorry to see so small an attendance. Why it was so he could not conceive, for the subject deserved greater and closer attention; for there was, in his opinion, nothing more important to the well-being of the poor than well-regulated medical relief. He entirely agreed with his hon. Friend the Member for Finsbury in his observations respecting the medical board. He had never met a set of men who had displayed more true humanity and benevolence to the poor than the members of that profession. He had seen them sacrificing their money, their labour, their time, and even, in many instances, sacrificing health and life, in order to render humane and charitable assistance to such poor persons as required their aid. It was impossible to say too much of the merits of that profession. The difficulty he felt in voting for this resolution applied to the latter part of it—not that part imposing on the medical inspector to be appointed the duty of pointing out the number of medical officers which ought to be employed in each union, for in that he concurred. He objected to their imposing the duty of fixing the salaries to be given to the medical officers for their services. He had heard with great pleasure some observations which fell from the hon. and learned Chief Commissioner with regard to local rights and privileges. The Chief Commissioner had said, that on these local rights depended very much the welfare of the country. He entirely agreed in that observation, and hoped that the hon. and learned Chief Commissioner would remember that principle when he came to press forward his Sanitary Bill and the Bill promoted by the noble Lord at the head of the Woods and Forests with regard to the metropolitan districts. He hoped that he would adhere to the importance of keeping those rights inviolate. He would repeat that he had an objection to enabling these medical inspectors to fix the salaries of the medical officers of the union, as it gave them the power of putting their hands into the pockets of the ratepayers. If the question of emolument were left to the guardians, as usual, the unions would be much better served. If this objection were removed, he should certainly support the Motion; but if otherwise, he could not bind himself to support it, however much he admired the principle expressed in it.

Mr. ADDERLEY suggested that if there were such a sum as 6,000*l.* or 10,000*l.* to spare, it would be much better applied in increasing the salaries of those medical officers at present employed, than in forming a new body of inspection. He could not say that the proposed body of inspectors would be very useful, for having been for many years a member of a board of guardians, he could only remember one occasion when such a body would have been of any real utility. That was a case where the treatment adopted by a medical officer was called in question, and the dispute was finally decided by a reference to other practitioners, who decided in favour of the system of treatment which had been adopted.

Mr. E. DENISON did not think that the right hon. Gentleman (Mr. C. Buller) merited the observations of the hon. Member for Finsbury. It appeared to him that the right hon. Gentleman had spoken with excellent sense, sound judgment, and good feeling. The explanation which the right hon. Gentleman had given was most satisfactory; if, therefore, the noble Lord should go to a division, he must give his vote decidedly against him.

The House divided on the question,

"That this question be now put:"—Ayes 19; Noes 101: Majority 82.

List of the Ayes.

Anstey, T. C.
Crawford, W. S.
D'Eyncourt, rt. hon. C. T.
Drumlanrig, Visct.
Hamilton, Lord C.
Hood, Sir A.
Horsman, E.
Monsell, W.
Napier, J.
O'Connor, F.
Pechell, Capt.
Raphael, A.
Roche, E. B.
Scholefield, W.
Sheridan, R. B.
Thompson, Col.
Trevor, hon. G. R.
Williams, J.
Wyld, J.

TELLERS.

Ashley, Lord
Wakley, T.

List of the Noes.

Abdy, T. N.
Adderley, C. B.
Armstrong, Sir A.
Armstrong, R. B.
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Blackall, S. W.
Bolling, W.
Bourke, R. S.
Bramston, T. W.
Brotherton, J.
Buller, C.
Burroughes, H. N.
Campbell, hon. W. F.
Carew, W. H. P.
Christy, S.
Clay, J.
Compton, H. C.
Craig, W. G.
Deering, J.
Denison, J. E.
Devereux, J. T.
Duckworth, Sir J. T. B.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Ebrington, Visct.
Estcourt, J. B. B.
Fagan, W.
Fagan, J.
Filmer, Sir E.
Floyer, J.
Fordyce, A. D.
Fox, R. M.
Fox, W. J.
Gibson, rt. hon. T. M.
Greene, J.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hardcastle, J. A.
Hay, Lord J.
Hayter, W. G.
Heathcoat, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Henry, A.
Howard, hon. C. W. G.
Jervis, J.
Keppel, hon. G. T.
Kershaw, J.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, G. C.
Magan, W. H.
Maitland, T.
Marshall, J. G.
Masterman, J.
Matheson, J.
Matheson, Col.
Morpeth, Visct.
Neeld, J.
Nugent, Sir P.
O'Brien, J.
O'Brien, T.
O'Connell, M. J.
Paget, Lord C.
Paget, Lord G.
Parker, J.
Pilkington, J.
Plowden, W. H. C.
Power, D.
Power, N.
Prime, R.
Reynolds, J.
Ricardo, O.
Robartes, T. J. A.
Romilly, J.
Scrope, G. P.
Seymour, Lord
Smith, J. B.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Strutt, rt. hon. E.
Stuart, Lord D.
Tennent, R. J.
Thicknesse, R. A.
Thornely, T.
Trelawny, J. S.
Turner, G. J.
Urquhart, D.
Walmsley, Sir J.
Ward, H. G.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Wilson, M.
Wood, rt. hon. Sir C.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

Question not put.

Lord ASHLEY then moved the 4th resolution, viz. :—

> "That from and after the month of March next the appointment of medical officers of unions shall be permanent during good behaviour, they being removable only by the Poor Law Commissioners, whose decisions shall be final."

He would not trouble the House long upon this resolution, which entirely depended upon the evidence given before the Select Committee. No less than thirty-five witnesses were examined on the point, and of those thirty-one were very strongly in favour of the permanent appointment of the medical officers; four dissented, but one of those was not able to say "yes" or "no," so that only three gave a decided opinion against the appointment being permanent. Dr. Russell, the rector of Bishopsgate, and chairman of the East London union, stated that he had not the slightest doubt that the medical officers ought to be independent, to enable them to do their duty justly towards the poor. He was asked—

> "Do you think that, in the matter of recommending relief to the sick, such as wine, beer, or meat, the medical men would make such recommendation if they thought that by so doing they would place themselves at variance with the guardians?"

The answer was—

> "I do not think that they would; I think a medical officer who is re-elected annually is placed in a very uncomfortable position, both to the poor and the board. He cannot be independent: and I think a board of guardians would be very cautious in appointing a man if they knew they were to appoint a permanent officer."

Mr. Barnett, a guardian of the Stepney union, said—

> "It is better that medical officers should be permanently appointed. There are many cases that come before the boards of guardians connected with the medical men; I allude, particularly, to the removal of nuisances. A great number of guardians are owners of small houses; and, should their premises get into a bad state, and the medical officer report them, I think it very likely he would suffer for it at his next election. I think that annual election prevents his independence."

Mr. Goodwin confirmed such statement, having been a sufferer; and Mr. J. Fox, union-surgeon, of Serne, in the county of Dorset, stated—

> "The situation should be permanent. If elected annually, we are very much under the influence of the guardians. A case came under my observation a short time ago. A medical officer was attending a poor woman, pregnant, and suffering from painful ulceration of the leg and varicose veins. Five loaves a week were allowed by the guardians to the husband, in order to pay a woman for performing the domestic duties. After a fortnight one of the guardians called her an idle hussy, and stated that the bread should be

stopped, and that the medical officer, who had been instrumental in procuring the additional relief, should, when the 25th of March came, not receive any more of their money. It is a temptation, when men are struggling with difficulties, to avoid making an order for meat, or bread, or for any little thing of the kind."

The whole evidence went to show that the independence of the medical man was suspended by the knowledge that he was annually elected, and that in nine cases out of ten he did not dare to give those recommendations for the relief of the poor which he knew would be distasteful to the board of guardians. Every other officer connected with these boards was permanently appointed. The clerk, the relieving officer, and the chaplain, were all permanently appointed. He wished to know the reason why the medical man, who had such great responsibility thrown on him, should not also be permanently appointed? There was one answer given in the examination of a man of great authority, which bore directly on this point. It occurred in the evidence given by Mr. Lewis, at that time Chief Commissioner of the Poor Law Commission. In answer to a question put to him he said—

> "I am certain that in case any difference should arise between the board of guardians and the medical man, if the medical man were elected annually, he would run a very good chance of not being re-elected."

It was said, if medical officers were permanently appointed, that a bar would be raised to the employment of young medical men, and that the average age of the officers would be increased. But no adequate reason could be alleged why medical officers should not be placed in an independent position, so that if they ordered meat and wine, in cases where they thought it their duty, they might act without fear of removal by a board of guardians.

MR. P. SCROPE hoped the Government would concede this point. He had voted against the noble Lord on other resolutions, relying on the kindly spirit evinced by the two Members who had spoken on the part of the Government. He had great confidence that the objects of the noble Lord would be effectually carried out. The officers of boards of guardians were permanently appointed, with the invidious exception of the medical officers. The Poor Law Commission itself had recommended that they should be appointed permanently. If the Commissioners had not power to make an order to that effect, it ought to be settled by legislative enactment.

MR. C. BULLER regretted that he could not accede to the suggestion of his hon. Friend. The effect of the resolution would be to deprive the poor of their only guarantee for attendance by medical officers to their wants. He disclaimed any language which could imply the slightest reflection on the intelligence, public spirit, and humanity of medical men; but that was a very different question from the appointment of ten medical inspectors. The ground of issue was very narrow. The noble Lord wished to establish the rule that all medical officers should hold their offices permanently, or during good behaviour, not being subject to annual re-election, and that they should be liable to removal only on proof of misconduct before the Poor Law Commissioners. Due attention, he thought, could not be secured from medical officers holding office by a permanent tenure, and paid by salary. In about half the unions, the guardians had this hold over the medical man, that if he did not give them satisfaction, they would not re-elect him. The noble Lord wished to transfer that power to the Commissioners. He did not see the advantage of that transfer, though it might enable medical officers sometimes to go on fearlessly in the discharge of their duties. It would make medical officers practically irremovable. The office was not one to which the rude test proposed was applicable. Was it enough that a medical officer should not show gross ignorance—should not actually murder the poor by negligence—should not have moral delinquency proved against him? It would be hard dealing with the poor to subject them to treatment by one whom no one would employ in his own parish. Was it not necessary that the medical man should be skilful and learned in his profession—that he should be zealous in the discharge of his duties—that his manners towards the poor should be civil and kind—that he should not only have those qualities, but be reputed to have them? Who was the best judge of those qualifications—a Commissioner, sitting in Somerset House, acting through inspectors, or the board of guardians, the neighbours of the medical man, who knew him in all the relations of life, and were aware of the estimation in which he was held by the poor? He did not reject the task which it was proposed to impose on him because it involved too much trouble; but because he sincerely believed that a person in his position was not so competent to decide those questions as boards of guardians. No case had been made out for an alteration. An argument had been founded on the tenure by which the clerk, master of the workhouse, and relieving officers held their appointments; but these were constantly liable to be brought in opposition to the boards of guardians, and would not be re-elected if they refused to obey illegal orders given by the guardians. Those officers looked to the Commissioners, who thereby controlled the system. The duties of the clerk and others were few and definite; the qualifications of the medical man were far too delicate to be investigated by a central authority. He would never venture to remove a medical officer unless some specific offence were proved against him on inquiry, though notoriously deficient in ability, zeal, and kindness to the poor. He was not very squeamish in such matters; but he begged the House to consider whether it were wise, now that he was a Member of Her Majesty's Government, and holding his office by a political tenure, to make 3,000 gentlemen, many of them actively political, entirely dependent upon him throughout the country. This was a consideration which ought to have been suggested by the vigilant Opposition; but as the Gentlemen—the Opposition—seemed to have forgotten their principles, he felt it to be his duty to remember that he was an Englishman before he was a Commissioner, and to remind the House that they were incurring some danger in pressing upon him an amount of patronage which he did not wish. It was with great reluctance that he opposed the resolution of the noble Lord, embodying as it did a principle on which he understood the members of the medical profession entertained a strong feeling, and which was supported by many staunch friends of the poor on both sides of the House; but he trusted the House would believe that he did so only from a strong conviction that the change proposed was a most unwise one, and that it would damage the very cause which it was intended to promote. He begged to move the previous question.

Mr. WAKLEY remarked that the right hon. Gentleman had stated that one-half of the medical appointments were permanent. Did he mean to let them remain so? or did he mean to bring in a Bill to alter them? It was understood when the new poor-law was passed, that it was to introduce a uniform system—clearly defined and well understood; but where was the uniformity here? The noble Lord had proposed a resolution to which the medical profession looked with great anxiety, and what was its object? To make the one-half of the medical appointments similar in their tenure to the other. The right hon. Gentleman opposed the Motion. Now, this seemed to him to be very inconsistent. He could conceive nothing more so. He could easily believe that the right hon. Gentleman had had representations made to him that the medical officers who held permanent appointments were not sufficiently subservient. The fact was, however, that it was utterly impossible for the medical practitioners to do their duty unless they were made independent. The right hon. Gentleman must know—at all events he ought to know—that, in a great many instances medical men dared not act in an independent spirit and do their duty to the poor, in consequence of the manner in which they were treated at the end of the year, when their engagement expired. If one of them gave the slightest offence to a relieving officer, or any of the creatures about the board, some complaint was immediately raised against him, and he was got rid of. The House would remember the circumstances connected with Mr. Westlake's case, in the Andover union. Did the right hon. Gentleman think that medical men ought to be exposed to such persecution as that? In what way was Mr. Westlake treated? His was, no doubt, an extreme case; but there were many minor cases precisely of a similar character. Mr. Westlake exposed the abuses of the Andover union; and, in consequence of having done so, he was persecuted until he was under the necessity of leaving the town, and where he was now he did not know. If Mr. Westlake's appointment had been a permanent one, the tyranny exercised over him would not have been displayed, and he would have continued to hold his situation, greatly to the benefit of the poor. What had lately happened at Croydon, in Surrey? A Mr. Bottomly, a man of great skill in his profession, had held the office of surgeon to the union for six years, with great credit to himself, advantage to the neighbourhood, and satisfaction to the poor; and yet, in consequence of what the guardians had chosen to consider improper conduct in his partner, he was obliged to resign. The boards of guardians would always act in this way to medical men if they showed the slightest independence.

The only remedy was, to make the appointment permanent. The right hon. Gentleman had failed to show why there should be any distinction made between one portion of the medical officers and another—why, in one union, their appointments should be permanent, and in another annual. This ought to have been explained to the House. He should vote for the Motion of the noble Lord.

CAPTAIN PECHELL wished the medical officers to be permanently appointed. Had a permanent medical officer existed in the Andover union, the disgraceful abuses which were proved to have prevailed there would either have been exposed at an earlier period, or altogether prevented. The conduct of the board of guardians of that union towards Mr. Westlake was most tyrannical.

MR. WALTER had accidentally been absent during the discussion which had taken place upon the first two resolutions proposed by the noble Lord the Member for Bath; had he been present, it would have afforded him great pleasure to support them, as he certainly would the resolution at present under consideration. He would take that opportunity of expressing the gratification with which he had heard the orthodox doctrine propounded by the right hon. and learned President of the Poor Law Commission, that the reference of local questions to the Central Board was a thing to be deprecated. If the right hon. and learned Gentleman should continue to inculcate such doctrines, there would be some chance that, eventually, the central authority would be still further dispensed with. With respect to the present question, he thought it impossible that the House could conceal from itself that the choice of two difficulties lay before it. From his own personal observation he had had opportunities of knowing that the right hon. and learned Gentleman's statement, with respect to the incapacity of parish doctors, was fully borne out. To declare that a parish doctor should in no case be superseded by the local authorities unless a specific charge should have been brought and proved against him, might be productive of injury to the parishioners. That was one difficulty. On the other hand, the results of his experience prompted him to concur in the statement of the hon. Member for Finsbury, that parish doctors frequently laboured under a disadvantage, and were, indeed, in some cases prevented from doing their duty in consequence of the disinclination of the guardians to allow that which was very often more necessary for the afflicted poor than physic—nourishing food. Of the two evils he would choose that which would be least injurious to the poor. Believing that under the circumstances of the case it would be better to make the medical officer a permanent appointment, he would vote for the noble Lord's resolution.

LORD DUDLEY STUART suggested that the words "during good behaviour" should be omitted.

MR. HINDLEY was very much opposed to the annual election of medical officers; but he did not see so much objection to their being made permanent, with the exception that they should be removable only by the boards of guardians. The proposition of the noble Lord, however, was quite of a different character. He believed the medical officers of prisons were removable by the parties who appointed them, and he thought it would be best if the dismissal of union medical officers were vested in the local boards of guardians. It might happen that the local authorities might have a perfect knowledge that the medical man did not duly or satisfactorily attend to the poor, and yet find it impossible to make out such a case as would cause his removal by the Poor Law Commissioners, supposing them to have the exclusive power to dismiss him. And it often occurred that some circumstances, at the bottom of which it was difficult to get, engendered such a dislike to a particular medical man on the part of the poor themselves as rendered his services distasteful to them; and though it might sometimes be hard to assign any very valid reason for their objection to him, such as would convince those unacquainted with the immediate district, yet, knowing how much the comfort of the poor depended upon their having the attendance of a medical man on whom they could rely, he considered it advisable that the local boards, who could better understand the true state of the case, and sympathise with the feelings of the necessitous people in their respective localities, should have the power of appointing and dismissing the union medical officer.

LORD ASHLEY said, he was quite willing to strike out the words "during good behaviour" from the resolution, and to substitute "removable only by the Poor Law Commissioners" in their place, in order to obviate the difficulty.

MR. C. BULLER objected to the responsibility that would be entailed upon the Poor Law Commissioners if such an arrangement were established.

The House divided upon the previous question, when there appeared:—Ayes 36; Noes 98: Majority 62.

List of the AYES.

Anstey, T. C.
Archdall, Capt. M.
Brotherton, J.
Clay, J.
Cobbold, J. C.
Crawford, W. S.
Drumlanrig, Visct.
Dunne, F. P.
Fagan, W.
Fox, W. J.
Hall, Sir B.
Hamilton, Lord C.
Henry, A.
Hood, Sir A.
Monsell, W.
Napier, J.
O'Connor, F.
Pechell, Capt.
Perfect, R.
Raphael, A.
Robartes, T. J. A.
Roche, E. B.
Scholefield, W.
Scrope, G. P.
Sheridan, R. B.
Spooner, R.
Stuart, Lord D.
Thompson, Col.
Trevor, hon. G. R.
Turner, G. J.
Vesey, hon. T.
Walter, J.
Williams, J.
Willoughby, Sir H.
Wortley, hon. J. S.
Wyld, J.

TELLERS.
Ashley, Lord
Wakley, T.

List of the NOES.

Adderley, C. B.
Anson, hon. Col.
Armstrong, Sir A.
Armstrong, R. B.
Bagge, W.
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Bolling, W.
Bouverie, hon. E. P.
Bowring, Dr.
Boyle, hon. Col.
Bramston, T. W.
Buller, C.
Campbell, hon. W. F.
Carew, W. H. P.
Carter, J. B.
Christy, S.
Clements, hon. C. S.
Compton, H. C.
Cowper, hon. W. F.
Craig, W. G.
Deering, J.
Denison, J. E.
Devereux, J. T.
Drummond, H.
Duckworth, Sir J. T. B.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Ebrington, Visct.
Estcourt, J. B. B.
Fagan, J.
Filmer, Sir E.
Floyer, J.
Fordyce, A. D.
Fox, R. M.
Gibson, rt. hon. T. M.
Greene, J.
Grey, rt. hon. Sir G.
Hardcastle, J. A.
Hay, Lord J.
Hayter, W. G.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Howard, hon. C. W. G.
Keppel, hon. G. T.
Kershaw, J.
Labouchere, rt. hon. H.
Langston, J. H.
Lewis, G. C.
Magan, W. H.
Mahon, The O'Gorman
Maitland, T.
Marshall, J. G.
Masterman, J.
Matheson, J.
Matheson, Col.
Morpeth, Visct.
Morris, D.
Mulgrave, Earl of
Neeld, J.
Nugent, Sir P.
O'Brien, T.
O'Connell, M. J.
Paget, Lord G.
Parker, J.
Pearson, C.
Pilkington, J.
Plowden, W. H. C.
Power, Dr.
Power, N.
Prime, R.
Repton, G. W. J.
Reynolds, J.
Ricardo, O.
Rich, H.
Romilly, J.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Strutt, rt. hon. E.
Sullivan, M.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Ald.
Thornely, T.
Urquhart, D.
Vane, Lord H.
Verney, Sir H.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.

TELLERS.
Tufnell, H.
Hill, Lord M.

Resolution not put.

Remaining resolutions withdrawn.

FRIENDLY SOCIETIES.

MR. FEARGUS O'CONNOR, on rising to move for leave to bring in a Bill to alter and amend the existing law with respect to friendly societies, said, he did not come before Parliament to ask for an extension of any law now in existence that would prejudice any vested interest in the kingdom, but to obtain its sanction to a scheme for securing the additional comfort and contentment of the working classes of this country, who had been baulked of the promised fruits of all the great political changes which of late years had led to so much agitation in the public mind. The working classes were now suffering under an unprecedented amount of privation; and with the view of permanently and substantially ameliorating their own condition—which all political reforms had hitherto failed to accomplish — 100,000 of them had established a plan for a great social change—social, he meant, in a sense totally unconnected with Socialism or Communism—in 1845, since which political trials and incarcerations had ceased. The principle of this plan was, that every man who subscribed 2*l.* 12*s.* should be entitled, by ballot, to two acres of ground, a cottage built thereon, and 15*l.* of capital to commence with. By subscribing 3*l.* 10*s.* he would have three acres, a cottage superior to the last, and 22*l.* 10*s.* capital; by subscribing 5*l.* 4*s.* he would have four acres, a still better cottage, and 30*l.* capital. The Attorney General and Solicitor General had considered this desirable project — a project by which the only durable basis for the well-being of the nation, and for a sound and satisfactory representative system could be laid—did not come within the scope and protection of the existing laws. He (Mr. O'Connor) thought it was only by a strained construction of the Act that this plan could be considered as not embraced within its provisions; and he wished emphatically to impress upon the

House, that nothing could be more just and equitable than that the protecting arm of the law should be extended to shield the savings of the poor and industrious classes; and he had only to ask the House for that protection to the property of the poor man, which hon. Gentlemen would consider hard if denied to themselves. There was nothing exorbitant or extravagant in his demand — nothing that would trench in the slightest degree upon the rights of others; and because the project was a novel one, he could not believe they would withhold their sanction from it on that account, or refuse to legislate in its behalf. Railways were at one time new, but still they had enacted laws for their advantage; and he only asked for a similar privilege for a scheme no ways less important to the best interests of the country than these had been. When one channel was closed against the working classes, it was necessary that another should be opened for them; and where, he asked, could a better means of support be found for the people than that of apportioning out the land for their productive industry to be exercised thereon? If it were the primary duty of Government to cultivate the natural resources of the country to the highest perfection, it was for them to discover the exact amount of land a man and his family could exist upon. He had purchased, with the money of the people, over 2,000 acres. He had located in Herefordshire thirty-five occupants, and in Worcestershire thirty-five, and they had converted a farm, which was neglected for three years by the previous occupier, into a paradise. Believing that the working class were more anxious to educate themselves than the Government, with its numerous vocations, could possibly be, there was in the centre of each location a splendid school for boys and girls, and houses for the master and mistress. They should also consider the benefits which his plan would confer on other branches of society. While they had to look to America and to Russia, and to other places for subsistence, he asked any man to point out to him fifty acres of land in all England that was cultivated to one-fifth part of its ability. Why, therefore, had not the Government applied before now the resources of the country to the cultivation of the land? He would impress on the minds of hon. Gentlemen in that House that he asked for no aid, countenance, or support, beyond the protection of the law. He conceived that the landlords of the country were in such a position as left them no resource for the purpose of making up their incomes but to bring a portion of their land into the retail market. He could show the difference between the wholesale and retail management of land. He could show that where a tenant paid *5s.* an acre too much on a thousand acres of land, it pressed hardly upon him; whereas the man who paid even *10s.* or *15s.* an acre for that which was just enough to occupy his own labour and that of his family, was in a situation which enabled him to meet the demands of his landlord. He contended that a great evil as regarded the land was the distance of the homestead from the farm in the cases of large farmers; and that a man with a few acres, with his house in the midst of it, could do more with it in proportion than could be done with a large farm where the homestead was at a distance. He had no other object in view than the legalising of this plan. He had purchased land for *30l.* per acre in the wholesale market, and had disposed of it for *67l. 10s.*, for the benefit of the company, to parties who were not members of the company, and had not entitled themselves to all its privileges. He had tried the system which he now advocated in his own country, on a portion of his own land, where he employed a hundred and thirty labourers each day. [Mr. MORGAN JOHN O'CONNELL: Where?] In the county of Cork, within nine miles of Bandon, and within four miles of Enniskeane. With regard to the persons who were located on these farms, the farmers in the neighbourhood thought them extremely well conducted. They were neither Whigs, nor Tories, nor Chartists, but working men, who, finding all other channels of industry were closed, were satisfied to turn their labour to a profitable purpose. As to the transfer of those farms, he might observe that a man who was located on four acres, and paid 5 per cent on the capital expended in the purchase of the land and the building of the house, could get another man to undertake to pay the same rent, and give a bonus of *160l.* for the possession. There never had been a question mooted in this country to which the working classes of the country attached so much importance as to this question. When they heard of the English labourer being a dissipated man, or an unthrifty man, here was a proof to the contrary; for it appeared that where the market was open to him, he was thrifty and industrious. But he (Mr. O'Connor) was in a novel position. He came to the House for protection against himself. As the case stood, the whole of the money of those people was placed in his hands, and vested in his name; and what he asked of the House was, that he should be made amenable to the subscribers. A sum of above 80,000*l.* had been already subscribed, and he asked the House to give those men who had subscribed a protection against him and against their officers. The right hon. Gentleman might probably think that the refusal to allow the introduction of the Bill would arrest the plan in its progress. He begged to assure the right hon. Gentleman that he was in error if he thought so. They would still go on. But the mode they were at present obliged to adopt was very expensive. He wanted to avoid the expense of complete registration. When by the refusal of the Attorney General they were prevented from being enrolled under the 9th and 10th Vic., c. 27, they had recourse to provisional registration. The deed cost them above 3,000*l.*, and it required such a vast number of signatures, that it was found it would have to be sent all over the country, at an expense that would have amounted to some thousand pounds more. He complained that some companies *ejusdem generis* had been certified by the certifying barrister, whilst this one could not be enrolled, and had been put to all that vast expense. He only wanted to have the existing law so altered as to include it. But if no such law existed, he thought he would be entitled to ask the House to pass a separate one for such a useful purpose. He had prepared a brief analysis of the laws bearing upon the question. They were originally passed for the benefit of friendly societies. The existing Acts were the 10th Geo. IV., c. 56; the 4th and 5th Will. IV., c. 40; and the 9th and 10th Vic., c. 27. But the 4th and 5th Will. IV., sec. 2, provided in those friendly societies for the maintenance of members during sickness, and the scales were arranged by way of average. It was upon that hitch that the Attorney General refused to assent to the Land Company, because he said it was a sort of lottery, and that the chances were not susceptible of calculation by way of average. But he maintained that they were. Let him have an actuary, and he would prove that a regular scale of chances could be prepared with much more certainty than a life insurance could be calculated at present in Ireland, or six months ago in England. It was true, it might take some time to prepare. But all tables should necessarily vary, and it would be no argument against any plan that it required tables different from others in existence. Mr. Tidd Pratt thought that such a company as the Land Company might be enrolled; but he would not venture to enrol it, after the dictum of Mr. Justice Wightman. But he depended upon the disjunctive effect of the conjuction "or" in the expression "*ejusdem generis*, or that is not illegal." Upon the disjunctive effect he based his claim, for he contended that it was not illegal if it were not *ejusdem generis.* He should next proceed to state some of the advantages of the society. Firstly, the rules were binding, and might be legally enforced; secondly, protection was given to the members in enforcing their just claims; thirdly, the property was invested in the trustees or officers, or other selected individual, who was liable to and might be sued; fourthly, fraud against the society or members was punishable by the justices; fifthly, application might be made to the Court of Chancery without the payment of the enormous costs and the heavy counsel's fees which would be otherwise incurred. He thought it might be agreeable to the right hon. Gentleman to be informed that 50,000*l.* of their money was at present lying in Exchequer-bills. Sixthly, all documents were exempted from stamp duty when the amount did not exceed 200*l.* He had thus shown some of the advantages of the plan, and the expenses which the members would be saved from by their not being compelled to go to complete registration. They sought only the same protection that was given to the society of Odd Fellows and others. But instead of extending the advantages of the law passed for the benefit of such societies, the narrow construction put upon it by Mr. Justice Wightman, and the narrow view taken by the Attorney General, had left them worse off than they would have been had the law never been passed at all. One objection taken to the plan was, that it was like the Irish small-farm system. But the difference was, that the Irish small farmers were destroyed by their own industry. The want of security of tenure made their holdings the more insecure and the less valuable the more they improved them by their industry and labour. An Irish holder of four or five acres would probably have five or six landlords over him, all of whom had some profit out of the holding. Or, if he had only one landlord, he soon found out that a landlord of straw could break a tenant of steel. As soon as he had improved his holding, so as to make it worth more than it had been worth previously, the landlord ejected him, and let it to another. He might be told that the plan he advocated would encourage the squatting system; but to meet that objection he was prepared to introduce a clause into the Bill to prevent the subdivision of any of the allotments. With the society he had projected he was resolved to persevere. He would not be prevented from so doing by the difficulties or intricacies of the law. No power on earth should make him abandon the land plan which he had expended so much time and toil in maturing. He had created too many ardent hopes in the minds of those who had adopted his views ever to surrender them. He would adhere to his plan to the last, for he saw what good it would effect by rescuing the savings of the poor man from the gin-palace and the beer-shop. The farmers and landlords had received his project most favourably; but from the manufacturers it had had to encounter all that deadly hostility with which it was the custom of those classes to visit every effort made by the poor man to ameliorate his condition. He implored of the House to accede to his request, and grant permission for the introduction of the Bill, lest it might go to the country that the poor had in vain applied to the Legislature for the means of protecting their little savings. The hon. Member concluded by moving for leave to bring in a Bill to alter and amend the Act 9 and 10 Victoria, cap. 27, entitled "An Act to amend the Laws relating to Friendly Societies."

Sir GEORGE GREY did not think it necessary at that late hour to follow the hon. Member through all the topics of his discursive speech. He was not quite sure that he had been able to gather from the hon. Member's address a very distinct idea of the plan he proposed to himself, or of the alterations which he was desirous of introducing into the Act 9 and 10 Victoria, cap. 27. He denied, however, that there was, as the hon. Gentleman wished to have it supposed out of doors, the slightest indisposition on the part of the House to give every due facility for the investment of the savings of the poor. The very passage that had been read from the Act 9 and 10 of Victoria were sufficient to show that the object of the Government in passing that law was to afford such facilities. Before a society could come under the provisions of the Act, it was necessary that the Attorney General should certify that it was legal. The Attorney General refused to certify in the present instance, on the ground, as he understood from the hon. Gentleman, of the society being of the nature of a lottery. He did not pronounce any opinion as to the legality or illegality of the society; but if the hon. Gentleman meant to legalise lotteries, the proposition would have his decided opposition. He was quite satisfied to let the Bill be brought in, and the House would then have a better opportunity of judging of its merits. He hoped the rules and regulations of the society would also be placed in the hands of Members that they might have a better opportunity of ascertaining its character.

Motion agreed to.

MR. ANSTEY'S MOTION.

Mr. C. ANSTEY said, that as the Adjourned Debate on the Treaty of Adrianople was upon the Orders of the Day, he wished to state, that as there was no possibility of his bringing the adjourned debate on for some time—not less than three weeks—and having communicated with his noble Friend the Member for Marylebone (Lord D. Stuart), who was the only Member who wished to address the House upon the subject, he had come to the determination to move that the order be discharged. If, however, any hon. Gentleman objected to his doing so, he would proceed with the debate. He felt deeply grateful to the House for the attention with which he had been received, aware as he was of the difficulties with which he had had to struggle, and sensible of the force of prejudice with which he had had to contend. He was impressed with a sense of the great justice, forbearance, and even generosity with which the House had received him.

Sir H. WILLOUGHBY regretted that so serious a charge as that which had been brought against a Minister of the Crown, should have been preferred upon a mere Motion for papers.—Order discharged.

House adjourned at a quarter past One.

HOUSE OF LORDS,

Friday, March 17, 1848.

Minutes.] *Took the Oaths*—The Earl of Chesterfield.

Public Bills.—3ª and passed;—Passengers.

Petitions Presented. From Devonport, that the Lords of Parliament will no longer Claim their Privilege of Exemption from Debt.

HOUSE OF COMMONS,

Friday, March 17, 1848.

Minutes.] Public Bills.—1º Poor Houses (Ireland); Game Certificates for Killing Hares (Scotland).

2º Law of Entail (Scotland).

3º and passed;—Queen's Prison.

Petitions Presented. By Mr. Cowan, from Stirling, for Alteration of the Law respecting the Church of England Clergy.—By Mr. G. Hamilton, from Waterford, against the Jewish Disabilities Bill, and Diplomatic Relations with the Court of Rome Bill.—By Mr. W. Evans, from Cockermouth, for Abolition of Oaths.—By Sir J. Walsh, from Landrindod, Radnorshire, against the Roman Catholic Relief Bill.—By Mr. Cardwell, from Liverpool, and by Mr. Hastie, from Merchants, Bankers, and others, resident in London, for the Protection of Her Majesty's Subjects in China.—By Mr. Scott, from the Legislative Council of New South Wales, for Promotion of Emigration to that Colony.—By several Hon. Members, from various Places, for Repeal of the Duty on Attorneys' Certificates.—By Mr. Littleton, from the Walsall Union, against the Exemption of Small Tenements from Rating Bill.—By Mr. Plowden, from the Isle of Wight, for Exemption of Charitable Institutions from the Legacy Duties.—By Dr. Bowring, from an Independent Order of Odd Fellows, Manchester Unity, held at Martlock (Somerset), for an Extension of the Benefit Societies Act.—By several Hon. Members, from various Places, against the Diplomatic Relations with the Court of Rome Bill.—By Mr. A. Hope, from the Diocese of Ferns, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Cardwell, from Liverpool, for Sanitary Regulations.—From Robert Selby, of Devonshire Road, Wandsworth Road, for Alteration of the Law of Lunacy.—By Mr. Jervis, from Horsham, for Retrenchment in the Naval and Military Expenditure.—By Mr. Tennent, from Belfast, respecting Deductions from Half Pay Pensioners (Army).—By Sir Arthur Brooke, from Fermanagh, for Alteration of the Poor Law (Ireland).—By Mr. A. Hope, from Clerks, Masters, and Matrons of various Workhouses, for a Superannuation Fund for Poor Law Officers.—By Mr. Pascoe Grenfell, from Preston, and by Mr. W. Patten, from Burnley Improvement and Waterworks Commissioners, for Alteration of the Public Health Bill.—By Mr. Anderson, from Deerness (Orkney), and by Mr. Smollett, from Dumbarton, for Ameliorating the Condition of Schoolmasters (Scotland).—By Mr. Welby, from Grantham, for the Establishment of Self-Aiding Dispensaries.—By Mr. Divett, from the Exeter Anti-Slavery Committee, for Inquiry respecting the Slave Trade.—By Mr. W. Evans, from Glossop (Derby), for the Abolition of Toll Bars.

SETTLEMENTS IN LABUAN AND BORNEO.

Mr. BOUVERIE wished to ask a question of the right hon. Gentleman the President of the Board of Trade, viz., whether the Board had sanctioned, on the part of the Crown, the granting of a Royal Charter to a trading company for the carrying on of mining, agricultural, and trading operations in the Eastern Archipelago? He was desirous of knowing whether such was the case, because it had been made a subject of complaint, and he thought of just complaint, on the part of the merchants of this country, that a company had been so formed in which the shareholders had a limited responsibility, as well as other advantages. He also begged to be informed whether the charter had been actually given, and whether the right hon. Gentleman was aware that one of the gentlemen connected with the promotion of the company was the agent of Mr. Brooke, the Governor of Borneo?

Mr. LABOUCHERE said, that the charter had been granted as far back as the month of June last. He (Mr. Labouchere) was not then connected with the Board of Trade; but he believed he could state the conditions on which it had been granted. The object was, that a company should be incorporated, not for the purpose of carrying on trading operations generally in the Eastern Archipelago, as had been stated by the hon. Gentleman, but for the purpose of carrying on mining and agricultural operations, and developing the resources of the settlement of Labuan and the parts of Borneo adjacent. It had been considered right by his noble Friend who had preceded him in office at the Board of Trade, that the charter should be granted to the company, under the peculiar circumstances. The charter was limited to twenty-one years, and the mining and trading operations of the company were limited to Labuan and the parts of Borneo adjacent to it. In answer to the last question, he should say, that he did not know that Governor Brooke was at all connected with the company, and he did not conceive it possible that he could be.

MURDER OF SLAVES.

Mr. BAILLIE asked whether Her Majesty's Government had received any despatches from Captain Maunsell, who had been employed in the blockade of the coast of Africa, stating that a certain number of slaves had been brought down to the coast from the interior by some of their chiefs, and their disposal and removal having been prevented by the British vessels, they were all murdered? He also wished to know if there were any objection to lay the despatches, if they had been received, upon the table of the House?

Viscount PALMERSTON replied, that there had been a despatch to the effect stated by the hon. Gentleman, received last year.

INCOME-TAX (IRELAND).

House in Committee of Ways and Means.

SIR BENJAMIN HALL, in submitting to the consideration of the Committee the Motion of which he had given notice, and upon which, as he had already intimated, he intended to take the sense of the Committee, could not proceed in his observations without first expressing his regret at being the cause of hon. Members connected with Ireland, absenting themselves from that scene of conviviality and charity for which that anniversary was always so distinguished, and of which he was reminded by the emblems of nationality borne by the hon. Gentlemen who sat near him. He had no doubt, from the fact of his introducing the subject to the consideration of Parliament, he should be accused by some persons on the other side of the Channel, who dealt occasionally more in fiction than reality, of having selected that particular day for his purpose; but those Members who heard him, whether agreeing with him or differing from him in opinion, must be well aware, that according to the rules and regulations of the House, that was not only the first opportunity, but the only opportunity, he could by any possibility have taken for offering the Motion to their consideration. He feared, however, that he had really caused some hon. Gentlemen considerable inconvenience by the delay which had already taken place, because he observed some time since a paragraph in a Dublin paper, headed—

> "Important Announcement.—Great departure of Irish Members.—The following Irish Members have left Kingstown since Friday last, in order to be present in the House of Commons to vote against Sir Benjamin Hall's Motion;"—

and then followed the names of several Irish Members who seldom honoured them with their presence. He could, however, assure those hon. Gentlemen, that much as he desired to see the Union preserved in all its integrity, he could upon the present occasion have gladly dispensed with their attendance; but if their stay in London depended solely upon the length of the observations which he should feel it his duty to offer to the Committee, they would very soon find themselves back again in the harbour of Kingstown, which they had so recently and apparently so unwillingly quitted. He was anxious to avoid any unnecessary length of discussion, and to prevent, if possible, any pretext for touching upon those various ramifications of the subject, into which that discussion might possibly extend. It was, therefore, his intention to confine himself strictly within the limits of the point at issue. In suggesting such a proposition as the extension of the income-tax to Ireland, he might, in offering that suggestion, be expected by some persons to enter largely into the condition of that country, and into the state of the social relations which exist there; but he thought that the Bill introduced by his right hon. Friend the Secretary for Ireland, would afford ample opportunity on its second reading for entering into that vast field of discussion; and he would not give any cause for anticipating that debate. The Motion he was about to make, was a plain and simple proposition, perfectly intelligible to all parties, and thoroughly understood and appreciated by persons out of the House; for nearly all the petitions presented to the House in reference to the income-tax, since he had first announced his intention of extending that tax to Ireland, had contained a prayer, that if the income-tax was to be imposed upon Great Britain, it might also be extended over every portion of the United Kingdom. It was so plain a proposition, that it required but little preface, and as little argument to enforce it upon the favourable consideration of all unprejudiced minds. It was based upon justice, and founded essentially on strict principles of equity; and so it had been considered by nearly all the statesmen of the present day. In the year 1833, the right hon. Member for Tamworth stated distinctly, that if an income-tax was established in the country, it ought to be applied to Ireland; and this he said, knowing well the capability of that country to bear taxation. That right hon. Gentleman said—

> "It would hardly be contended that if a property-tax were established, Ireland ought to be exempted from its operation. To impose a property-tax on England and Scotland would, in his opinion, be extremely unjust."

Twelve years after, the right hon. Baronet so far from having changed the sentiments he had expressed in 1833, said—

> "His objection to such extension rested in a great measure on the non-existence of proper machinery to work out the object. Extensive arrangements must be made, and officers must be appointed for the collection; and it would be unwise to make these arrangements, and to appoint such officers, unless the tax was likely to endure."

And he added—

> "If the income-tax was made a permanent

source of revenue to the empire, then its extension to Ireland might be advisable."

The right hon. Gentleman seemed to have anticipated that the income-tax might be a permanent source of revenue, and his anticipations seemed likely to be realised, for the present Chancellor of the Exchequer stated the other night most distinctly, that there was no hope of repealing the income-tax—that it was absurd to suppose such a possibility—that there it was, proposed by the former Government, opposed by the present Government, but now by them supported as a Government; and he considered his right hon. Friend was quite right in saying, it would never be repealed; because it was much too convenient an impost for any Chancellor of the Exchequer to abandon. They were to have it at 5 per cent during peace. Future Chancellors of the Exchequer would tell them what it was to be when war was proclaimed; but now that they had it from high authority that the tax was to be continued, and as the right hon. Gentleman opposite the last time he spoke upon the subject, said, if the income-tax was to be a permanent tax, it would be advisable to extend it to Ireland, he hoped now for the honour of the support of the right hon. Baronet, in attempting that which he himself had described as "advisable." He had a right, therefore, to expect the support of the head of one party in the House. He would turn to another section of the House, very different from the party he had already alluded to, having scarcely one political feeling in common with the right hon. Gentleman, but, strange to say, agreeing in this one point—that the income-tax should be extended to Ireland. Hon. Gentlemen would perhaps do him the honour to recollect, that he alluded to this subject in November last, just to remind the hon. Member for Limerick that he had taken a note of his expressions upon the subject; and he gave the hon. Gentleman to understand, that he might possibly call upon him to fulfil the intentions which he had expressed. That hon. Gentleman seconded a resolution for the extension of the income-tax to his own country. It is true that some days afterwards he said he did so, merely to create a diversity of opinion! He therefore asked him to be consistent, and, if diversity of opinion was his object, to vote with him, as the hon. Member's vote would then be at variance with the last opinion he gave upon the subject; so that by two opposite conclusions he hoped to obtain the votes of two leaders of sections in this House—that of the right hon. Baronet, because he said, if the income-tax was to be a perpetual source of revenue, it ought to be extended to Ireland; and that of the hon. Gentleman, because he loved diversity of opinion; and it so happened that his (Sir B. Hall's) proposition was exactly timed for him to give expression to his feelings. It was often said, that we may arrive at the same goal by different routes, and come to the same conclusion by different lines of argument: he trusted, therefore, that the right hon. Baronet and the hon. Member might meet in the same lobby on the present occasion for the purpose of supporting the Motion. So much for two of the parties to whom he might, perhaps, look for support: there were two others—the one opposite, and the other which was led by his noble Friend, who occasionally had some unruly disciples. With regard to the first of these parties, he was sure he should receive some support from them, because the proposition was viewed favourably by that side of the House when it was first announced; and now he came to the noble Lord at the head of the Government, and although he could not expect his support, he was sure he would consider that he was only attempting to enforce that which was an act of fair and equal justice, and which he had thus described in this assembly only a few days ago. The noble Lord, in introducing to the consideration of the House the budget for the ensuing year, after having announced the most disagreeable intelligence that there was not to be any remission of taxation, but that the income-tax was to be continued for an almost indefinite time, or at all events for a longer period than had lately been assigned for its duration; the noble Lord then let in one ray of hope that he intended to extend equal laws and equal justice to Ireland. The noble Lord said—

"Considering that you did not originally, in 1842, impose the income-tax on Ireland, and that a very great struggle is now making in order to adapt the social condition of Ireland to the great change that is now taking place in that country, as regards the working classes and the relations between landlords and tenants—in regard to the landlords, inducing them to improve their lands, and in regard to the farmers, inducing them to pay wages for labour—considering that all classes, both in Ireland and in England, are called upon to take part in this great change, we think that in justice we have a right to impose this tax upon Ireland as well as upon England."

Every person hearing that statement had a right to assume that the noble Lord was about to do justice to all parties, and the statement was received with "loud cheers" from all parts of the House; but the hopes entertained were of a very fleeting nature, for the noble Lord added—

> "Admitting fully the justice of that course, we consider that this is not the moment;"

—an announcement which was received with bursts of laughter, and cries of "Oh, oh!" from different parts of the House. The noble Lord did not then state his reasons for coming to that decision. But a few days after he said—

> "We have shown, I think, our readiness to incur some obloquy by not proposing to extend the income-tax to Ireland, from an opinion that she is unable to bear it at a time when she is called upon to pay what I must call a very large tax of 2,000,000*l.* for the relief of the poor."

He feared, however, that he could not give the noble Lord credit for boldness in incurring any "obloquy." The exemption of Ireland from the tax was proposed at a time when the noble Lord intended to impose upon Great Britain an income-tax of 5 per cent for two years, and to continue at 3 per cent for five years; and the noble Lord must have been well aware that he had no chance of carrying such an extravagant proposition through the House of Commons, unless he was supported unanimously by the Irish Members; and he could only calculate on this support by excluding Ireland from the operation of the tax. So far from incurring any "obloquy," he had only shown to the country that he could reckon upon the support of Irish Members in imposing any amount of taxation upon Great Britain. The people of Great Britain had prevented this increase of the tax; and the proposition had met with such a reception that the noble Lord was obliged to abandon it. The only other reason which the noble Lord had adduced for not extending the tax to Ireland was, that Ireland had now to maintain her own poor, and consequently that it would be unfair to impose it upon that country; but he (Sir B. Hall) contended that this was not a good reason. He asserted that it was full time that Ireland should be made to bear her proper share of the burdens of the State, and that the landowners, and those who derived a beneficial interest from the soil in Ireland, held their property subject to a first charge, and that charge was the maintenance of their own poor, which class of the community they had hitherto made Great Britain support. The principle of a poor-law, as described by Mr. Trevelyan in the "Irish Crisis," was simply this—

> "That rate after rate should be collected for the preservation of life, until the landholders and farmers either enable the people to support themselves by honest industry, or dispose of their property to those who can and will perform this indispensable duty."

In the opinion so laid down, he must entirely agree; and it was no reason because the landholders in Ireland had now to maintain their own poor, that they should plead that as an exemption from taxation. But when the noble Lord spoke of two millions a year as the amount levied under the poor-law, he (Sir B. Hall) begged the House not to be led away by such a statement. He would prove to the House that it was wholly erroneous, and that the whole amount was not above half that sum during the past year. [Mr. ROCHE: What is the amount levied?] That had nothing to do with the question: the amount collected, and not the amount levied, was the sum to be arrived at. He had no doubt that Irish landlords would levy a rate for any amount; but they had only to deal with the sum actually paid and collected for the relief and maintenance of the poor, and he found, by a return made to the House, that the whole amount collected in Ireland for the year ending December 31, 1847 (and be it recollected that it was the year of famine), averaged only 1*s.* 5½*d.* in the pound. We paid more than that in this country when there was no famine. But it would be said that it was unfair to take the average of the whole of Ireland; for though the general average might be as low as he had stated, yet in some of the unions the rate had been so high as to be ruinous. In order to meet an allegation of this description, he had extracted from an official return a list of the twelve Irish unions which paid the largest poundage in the ten months ending 31st December, 1847, being the latest he could get. In Clonmel the rate was 3*s.* 4¾*d.*; Tralee, 2*s.* 9¼*d.*; Kanturk, 2*s.* 6¾*d.*; Limerick, 2*s.* 5¼*d.*; Oldcastle, 2*s.* 5*d.*; Carrickmacross, 2*s.* 4¾*d.* Killarney, 2*s.* 4*d.*; Fermoy, 2*s.* 3½*d.*; Nenagh, 2*s.* 3*d.*; Dungarvon, 2*s.* 3*d.*; Mallow, 2*s.* 2*d.*; and Lurgan, 2*s.* 1½*d.*; being an average of 2*s.* 5½*d.* in the pound. He had next to request the attention of the House to the fact that there was hardly a parish in the United Kingdom that did not complain of an influx of Irish paupers. If he were to cite the case of the parish with which he was best acquainted (Marylebone), it would be said that he was taking an extreme case. He would content himself, therefore, with the general assertion that he believed that one-tenth of the whole poor-rate of the country was expended in the support of Irish paupers. He found, from a report of the proceedings of the Glasgow Parochial Board in September last, that the number of Irish paupers landed in Glasgow during the week ending Aug. 3, 1847, was 2,366; in the week ending the 10th of August, 5,875; in the week ending the 17th, 7,495; and the total number from June 15th to Aug. 17th, was 26,335, a great proportion of whom were wholly unable to work. In the new Fever Hospital there were 1,150 patients, 750 of whom were Irish, 15 English, and the rest were Scotch. It might be said—and no doubt it would be said—that this was not exactly the time to bring forward this Motion; he had no doubt that a great many Gentlemen who would follow him in this discussion would say that they approved of the principle he had laid down—that they thought it perfectly just and fair that there should be an equalisation of taxation over the United Kingdom—but that this was not the time to carry that principle into effect. Now, he thought that before this argument was urged, they ought to look at what had taken place in this country last year. We had hoped at that period there would have been an alleviation of the burden of taxation; and yet, in consequence of the distress prevailing in Ireland, there had not been a single petition presented last year, nor a single speech made in that House, urging upon the Government a remission of taxation, because all were desirous of assisting Ireland—the whole mind of the country seemed to be given up to the consideration of the best mode of helping and relieving the suffering people of that country. He therefore contended that this was the time when Great Britain might expect some return for what she had done; but how stood the case? It was impossible for him to avoid noticing the manner in which the conduct of the people of England had been met by some of the representatives of the sister kingdom. He found, for instance, that Mr. O'Connell received an address from the Roman Catholic youth of Paris, after the ceremonies of Nôtre Dame. To this address he delivered a reply from which the following is an extract:—

"I have come from a country which has been, by causes I cannot here dilate upon, deprived of all means of relieving the miseries of its people; and now is supplicating aid, utterly in vain, from the country to which those miseries are owing! I make appeal to you. I make appeal to the world. I appeal to all the nations of the earth; and call on them to cry shame upon the tyrannous avarice of England, which, first plundering us of all means of ourselves ameliorating our condition, and relieving our ever-growing miseries, now answers all our supplications for assistance by atrocious calumnies against our bishops and our clergy, insults to the middle classes, and heartless mockeries of the agonies of our perishing people."

And on the 11th of February he wrote to Mr. Ray his hebdomadal abuse of the English, as a people and a nation, to this effect:—

"Oh, how the contrast struck me when I saw the artisan, the humble mechanic, the poor stall-keeper, thus cheerfully and generously giving to the relief of the Irish (with whom his country is bound in no bonds of State connexion)—between the noble conduct of these poor men and the heartlessness of the statesmen and legislators and press writers of wealthy England, who, after plundering us for centuries, refuse us the smallest assistance in the extremity of that misery which has been brought upon us by English misrule."

This was the way in which the conduct of the people of England was appreciated by one of the leaders of the Irish people! And when did this take place? It took place before twelve months had elapsed since a collection had been made in every parish of England for the relief of the Irish! The hon. Gentleman (Mr. O'Connell) had stated that assistance had been "cheerfully and generously given" by the people of Paris to the relief of the Irish; but he had omitted to state how much he had got, and what he had done with it. How stood the fact with reference to the relief afforded by this country? In July last above 3,000,000 received separate rations. Early in the year the British Association was appointed under the superintendence of Mr. Jones Loyd, Mr. Baring, Baron Rothschild, and others. On the 13th of January a "Queen's Letter" was issued, and contributions were invited for the relief of Irish distress; and Mr. Trevelyan in his account of the Irish crisis says:—

"A painful and tender sympathy pervaded every class of society—from the Queen on her throne to the convict in the hulks; expenses were curtailed, and privations were endured, in order to swell the Irish subscription. The vibration was felt throughout every nerve of the British empire. Besides the great stream of charity there were a thousand other channels which it is impossible to trace, and of the aggregate result of which no estimate can be formed, and of which no record exists, except on high."

Now, he did not mean to say that the people of England had done more than their duty; he did not require thanks nor ask any expressions of gratitude for what they had done; but he did ask, if they were to be censured—if they were to be abused—that that censure should be uttered there (in the House of Commons)—that that abuse should be lavished upon them in that place, in order that they might have an opportunity of replying to it; that, on behalf of the people of England, they might stand up and repel the extraordinary imputations that had been cast upon them, instead of being attacked and abused as they and the people were in places where they would not enter, and where consequently they could have no opportunity of meeting the authors of such calumnies. He found by a reference to four items of taxation in which the tax was levied in England, but not in Ireland, that for the year ending the 5th of January last, this country paid a sum of 11,577,334*l.* in taxation of which Ireland was altogether free. It was said that profits were small in Ireland, and could not afford to pay a tax. When an English Member got up to speak on this subject, he was met by the assertion that nothing but a repeal of the Union would do—that he was an Englishman, and knew nothing whatever about Ireland, and that otherwise he must know that there were no incomes in Ireland to be taxed. Now, if that were so, the extension of the income-tax to Ireland could do no harm, because there was nothing to be taxed under it. It would not injure Ireland, and would simply be an act of justice to the oppressed taxpayers of this country. He thought that he could show, however, to the satisfaction of the Committee, that the fact was not so, and that a very large number of the Irish Members had determined that an income-tax could be imposed and collected in Ireland. He found that in the month of November last a great meeting was held at Dublin, at which, among other resolutions, one was agreed to by which it was decided that an income-tax ought to be imposed upon Ireland. That resolution was proposed by Mr. Smith O'Brien, Member for the county of Limerick, and seconded by Mr. John O'Connell, the representative of the city of Limerick; and among those by whom it was approved of he found the names of Mr. Fitzstephen French, who was now in his place; of Major Blackall, who was now sitting opposite; of Mr. Monsell, who sat opposite; of Mr. Moore, who was sitting next to him; of Mr. Scully, of Sir Lucius O'Brien, of Mr. John O'Brien, of Mr. Power, of Mr. Daniel Callaghan, of Mr. Fox, and of the O'Gorman Mahon. The latter hon. Gentleman denied being there, but he found his name included with the others in the newspapers. Now, the question left for the consideration of the House was, that an income-tax should be imposed upon Ireland. He granted that the income-tax recommended by the hon. Gentlemen whose names he had read was to be expended in aid of Irish distress; but his argument was, that after recommending an income-tax for such a purpose, they could not well stand up now in the House and deny that it was possible, under any terms, to collect an income-tax in Ireland. He thought that the fact of the Irish representatives coming forward in such numbers, and almost unanimously agreeing to a resolution in favour of an income-tax for Ireland—for there was but one dissentient, whom he would notice presently—should be taken as a proof that there was property in Ireland that could be taxed. The hon. Member for Cork, who sat near him (Mr. Roche), appeared to have objected strenuously to the resolution. The hon. Gentleman said that he would have nothing whatever to do with an income-tax in Ireland; that it was bad enough in England; and that they might depend upon it if they adopted such means in Ireland for the maintenance of the poor, some Gentleman would be found to get up in the House of Commons, saying that the landlords ought to pay for the poor, and that the Irish income-tax ought to go into the general exchequer. He thought that argument a very fair one, and the hon. Gentleman was certainly quite consistent to have resisted an income-tax for his own country, and to have voted against the Government the other night for imposing that tax on the people of England. He assumed, therefore, on the faith of these hon. Gentlemen, that there was property to be taxed in Ireland. There were two modes of getting money in the shape of an income-tax, either in this country or in Ireland, namely, from the incomes from real property, or from the profits of trades and professions. He wished to put it in plain language, whether these two modes were not as applicable to Ireland as to England. He wished to ask the right hon. Gentleman the Chancellor of the Exchequer, why the medical gentleman living in England was to be taxed upon his profits, and why the medical gentleman living in Dublin was not to be taxed on his profits? He wished to ask him why the merchant in Belfast should go free, and the merchant in Bristol have to pay a tax upon his profits? more especially seeing that Belfast was a thriving town, whereas Bristol was, on the contrary, he was sorry to say, in a far different state. The profits of the Belfast merchant were accumulating, while those of the Bristol merchant were falling off. here was a description of persons connected with the legal profession in Ireland who did the dirty work of the attorneys, and who were called process servers; and, he asked, ought they to escape being taxed? Ought the fundholder in Ireland to escape payment of the tax, while the English fundholder had to pay? The amount of funded property on which the interest was paid in Ireland was 40,187,000*l.* The interest on this sum was 1,182,000*l.* a year, on which an income-tax of 3 per cent would amount to 35,000*l.* He found, however, that from 1842 to the 5th of April, 1847, only 13,900*l.* had been paid in the whole by holders of these funds, which would leave only an average of 2,796*l.* a year. Now, if land was not able to bear taxation, surely the fundholder was able to bear it; and if the fundholder living in London was to be taxed, he could see no reason why the Irish fundholder should not be taxed also. It was said that many Irish landowners, who lived in this country, paid an income-tax on account of their Irish estates; but then it was a mere optional tax with them, which they could avoid paying by living in Ireland. If an Irish proprietor liked to live in Ireland, he paid no tax; if he liked to spend his money in London, he paid a tax of 3 per cent for doing so. All he asked was, that Irishmen should pay a tax out of their receipts—that if a man received 1,000*l.* or 10,000*l.* a year in Ireland, he should pay an income-tax on that amount. But there was proof that the payment of rent in Ireland was not as bad as some Irish Members would represent. They had it stated recently by Mr. Guinness, the late Member for Kinsale, that he was a receiver over several estates in Ireland. He instanced three estates, and on one of them, the rental of which was 10,600*l.* a year, he had in the last ten years received above 100,000*l.*; that in 1845 he received 1,000*l.* over and above the rent, on account of arrears; in 1846, a similar sum, and, in 1847—the year of famine and distress—he had received, not only the whole rent, but 600*l.* on account of former arrears. He would say one word on the question of collection. He begged hon. Members would not be led away by any statement they might hear from Irish representatives that an income-tax could not be collected in Ireland. He had heard that assertion made before, over and over again, whenever any tax was to be collected in Ireland; and he remembered that only last year he was told it would be in vain to impose such a poor-law on Ireland as was then contemplated, because they thought it might lead to a confiscation of property, and it would be impossible in most parts of Ireland to collect any rate whatever. These predictions had not been fulfilled. The property had not been confiscated; and the rate had been very generally collected, notwithstanding all the obstacles put in the way of collection by some of the poor-law guardians themselves and by others, who ought to be ashamed of the conduct they had pursued in opposition to a measure calculated to benefit the poor of their country; but he found, by returns made to the House, the financial account showed that under the head of Customs 2,497,512*l.* had been collected, and under the head of Excise 1,651,968*l.*, in the last year, and the expense of collection had not been more than 8½ and 9¾ per cent respectively; and he believed the expense of collecting the poor-rate was about the same. He had shown that the Irish Members who met in Dublin, and who, with the exception of the Member for the county of Cork (Mr. Roche), were unanimous in the resolution that an income-tax should be assessed upon Ireland, must have felt convinced that Ireland could not only bear the tax, but that it could be collected, or they would not have agreed to such a resolution. It had been clearly demonstrated by the late divisions that the Irish Members cared not how much Great Britain was taxed, provided their country was allowed to go free. There had been two divisions on the income-tax within the last few nights, and he found on a careful analysis that in the first division sixty-two Irish Members voted that the tax should be imposed upon Great Britain, and eight against it. On the last occasion, when the question was simply whether that tax should endure for three years or for one year, sixty-seven

Irish Members voted for the three years, and only nine for one year. If, therefore, they displayed so general a desire for saddling the people of this country with the impost for an extended period, they ought not to be surprised that the English Members should have their constituents demanding of them to extend the same justice to Ireland. He was not one of those who advocated a separate nationality; but he would say that as long as a vast burden of taxation was imposed on England, from which Ireland was altogether free, Irishmen could have no claim to call on the Imperial Treasury for assistance as a right. If the taxation of both countries were put upon an equal footing, then he would admit that the representatives of Mayo, or other distressed districts, would have a right to come to the House and say—"We pay equal taxation with yourselves, but a great affliction has fallen on our country; we are suffering greatly on account of famine; and we claim aid from the Imperial Treasury." Such an appeal could not, he thought, be resisted; but as long as the Irish Members claimed an exemption for themselves, and denied their liability to be put on an equal footing in regard to taxation with England, so long would he, while he had the honour of a seat in that House, raise his voice against the justice of their claim. He thought that a great evil, arising from this inequality of taxation, was, that they had one portion of the United Empire opposed to another. He was satisfied that if Irish Members had to pay the income-tax themselves, they would be more cautious in their advocacy of it for this country. The hon. Member concluded by moving—

> "That towards raising the supply granted to Her Majesty, the respective duties levied on property, profits, professions, trades, and offices, in Great Britain, by Acts passed in the sixth year of the reign of Her present Majesty, and further continued by Acts passed in the eighth year of the reign of Her present Majesty, be levied on property, profits, professions, trades, and offices in Ireland, for a time to be limited."

Sir H. W. BARRON said, that the people of Ireland had a right to be thankful to the hon. Baronet for the constant interest he had manifested in their concerns. The conciliatory style of his philanthropy had so often been brought before the House, that it needed no remark on the present occasion. The hon. Baronet had earned, by his conciliatory treatment of the Irish, the distinction of having his name handed down to the latest posterity. The founder of the illustrious house of the Medici had been honoured by having inscribed upon his tomb the words, *Pater patriæ.* His illustrious countryman, Burke, had also been honoured by the title of "The Epitome of the Sublime and Beautiful." But the hon. Member for Marylebone (Sir B. Hall) would, for his kind consideration for the Irish, be known to future generations by the more honourable title of "Conciliation" Hall. If any one deserved the title of Conciliator *par excellence* it was the hon. Baronet. He thought the hon. Baronet had chosen a most unfitting period for his Motion—a period when the people of Ireland were not only in great distress, but in a state of fearful excitement; and when the people of Europe and the whole civilised world were also in a similar uneasy and restless condition. His unfortunate countrymen were starving by thousands; and it was well known that, from the highest down to the humblest peasant, there was scarcely one man, woman, or child, who had not felt the infliction with which they had been visited by Providence. It was somewhat remarkable, too, that the hon. Baronet should have selected, of all days in the year, for his proposition the 17th of March (St. Patrick's day), and it was a still more remarkable fact that he had that morning received a French paper, which contained the following significant paragraph:—

> "On Friday, the Irishmen resident in Paris, are to assemble in the Place de la Concorde—Conciliation-hall—to compliment the republic, and to join it." [*Laughter.*]

The hon. Gentleman opposite might laugh, but a thoughtful man would not consider that the best time to irritate the Irish people. It was notorious that there was a most uneasy spirit in Ireland, not to use a stronger term; and that the Executive had accumulated a large military force in Dublin to keep the peace; and was it not also notorious that most seditious and dangerous writings were openly vended? Would not that discussion, in fact, enable the *United Irishman* to preach his doctrines with more effect to the Irish people, and excite their sympathies and anger against this country? The hon. Baronet's speech would do more mischief than any speech delivered by the wildest incendiary in Ireland. But what did it really mean? Nothing more than to relieve Marylebone, and take in Skibbereen and Mayo. He would not, however, stand upon time or place, for he had upon his side some of the highest authorities amongst the ablest statesmen of the past and present generations. The right hon. Baronet the Member for Tamworth had said, when he first proposed the income-tax—

> "It is a tax to which Ireland was not subjected during the war. It is a tax for the levying of which no machinery exists in Ireland. I consider it in the highest degree impolitic to lay the tax upon the country."

Baron Foster, a high authority on Irish finances, when Chancellor of the Exchequer for Ireland, said, in the debate for consolidating the two Exchequers in 1816—

> "The taxation in Ireland at the time of the Union amounted to 2,440,000*l.*; in 1810, it was 4,280,000*l.*; and in 1816, 5,760,000*l.*; and, in fact, at this moment, taxation is driven to its *ne plus ultra.*"

The late Chancellor of the Exchequer (Mr. Goulburn) said—

> "The Union contribution of 2-17ths, it is now allowed on all hands, was more than she was ever able to pay, and it would be monstrous to attempt to keep it up."

He then came to an authority even higher than these, for it was that of a Committee of the House, which sat in 1815, 1816, and 1817. It was not an Irish Committee, only five out of twenty-one being from that country. Among the members of that Committee were the Chancellor of the Exchequer of the day, Mr. Peel, Mr. Huskisson, Mr. Grant, Mr. Wilberforce, and Mr. Elliot. From the deliberate and well-considered report of that Committee he would but quote these lines:—

> "But the Committee cannot but remark that for several years Ireland has advanced in permanent taxation more than Great Britain herself, notwithstanding the immense exertions of the latter, including the extraordinary war taxes."

He contended that since that period no relaxation of taxation had taken place to alter the relative position of the two countries. Lord Edward Fitzgerald, then the Irish Chancellor of the Exchequer, remarked on the debate before alluded to:—

> "I hope it will not be said that Ireland has thrown a great burden upon England, with a view of saving herself. We have contracted an expenditure for her which she cannot meet. She paid over 78,000,000*l.* of national taxes more than her share up to the end of the war."

These were not his (Sir H. W. Barron's) words, but those of distinguished statesmen; and yet the hon. Member for Marylebone could put his opinion in the balance against all these Chancellors of the Exchequer, and able and experienced financiers, and a deliberate opinion of the House of Commons. It was monstrous presumption, and he hoped it would not impose on the good sense of the House. Besides all he had quoted, Lord Sydenham had said, in 1830—

> "Taxation in Ireland has gone on to such a pitch that the more taxes we lay on the less we shall receive."

Let the hon. Member for Marylebone put that in his pocket-book. It will be useful for him to study before he again comes down to the House and makes a speech about the taxation of Ireland. England had been relieved, between 1815 and 1842, of 45,000,000*l.* of taxation, while Ireland had only got rid of 2,100,000*l.* He was thus amply borne out by the highest authority in his assertion that Ireland was already taxed much beyond her means of meeting it. He conjured the House to consider also the fearful burden cast on Ireland in the shape of the poor-law, which would amount to upwards of 2,000,000*l.* a year; and that that tax, right or wrong in principle, was a new tax to the people, and felt to be an enormous burden. The hon. Gentleman had said, that there was an income of 11,000,000*l.* on which the tax might be levied; but that was a gross exaggeration. First, landed property was estimated at 13,000,000*l.* per annum, and of that full 5,000,000*l.* must be deducted for Crown rents and quit-rents, all of which was spent in the city of London, and for incomes, which also being spent in this country, were already taxed. The hon. Baronet had not made these deductions, and his calculations were clearly one-sided. They were not the reasons of a statesman, but the assertions of an advocate. Was it fair or just to tell the people of this country that Ireland was paying a smaller portion of taxation, when, in reality, a considerable portion of taxation paid in England ought to be placed to the credit of Ireland? The hon. Gentleman the Member for Marylebone had quoted the article of soap; but was it not well known that a large quantity of English soap was imported into Ireland, and consumed there? [Sir B. HALL: Well, I hope so.] There was only one other point to which he would call attention. Was it not notorious that the Irish people were the best customers of the English market? Go to Leeds, Manchester, or Birmingham, and ask the large manufacturers there who were their best customers, and they would reply—"The people of Ireland." Why, the peasantry of Ireland, from their hats to their shoes, were clothed in the manufactures of England. He would beg the hon. Gentleman the Member for Marylebone to remember, that if the inhabitants of the large manufacturing towns in England contributed largely to the national Exchequer, that it was their Irish trade which enabled them to do so. Surely Ireland ought to get some credit for that. If the hon. Gentleman the Member for Marylebone would move for an inquiry into the justice and expediency of imposing an income-tax on Ireland, he would cheerfully second the Motion; but he should feel it his duty to oppose the proposition now before the House.

MR. MOORE observed, that he would have been glad to believe that no other motive than one of justice and a keen regard for the interests of the realm, had induced the hon. Member for Marylebone to bring forward this Motion; for, though he could not have congratulated the hon. Member either upon his good sense, the kindness of his feelings, or the correctness of his information, still the hon. Member would have risen in his estimation if he could have believed that such feelings and motives had actuated the hon. Member in his consideration of Irish policy. But the manner in which he had given notice of his Motion, and the manner in which he had introduced it, rendered it impossible that any such charitable construction could be put upon his motive. Therefore, he could not but regard it except as another shot of that guerilla warfare which it was the hon. Gentleman's pleasure to maintain, and which appeared to have its origin in that peculiar idiosyncrasy of mind which he had ever manifested in his study of the Irish character. It was not to be wondered at that the hon. Gentleman should have devoted so large and so flattering a portion of his valuable attention to the affairs of Ireland, for Ireland had been to him a friend in need. To Ireland the hon. Member owed his seat in Parliament, and Ireland had furnished him with the one idea which alone had shed a flickering light upon the barren waste of his understanding. The Irish question had been the making of him. If not his first political love, it was at least his first successful one. It was the one *bonne fortune* of his political life, and he clung to it with natural though tiresome infatuation. But the hon. Gentleman's love for Ireland not only furnished him with material for ambition and senatorial distinction, but furnished him with a moral and an inspiration. Alas! however, it was to be regretted that the hon. Gentleman's solitary idea could not even lay claim to originality. The principles communicated by him had long been cultivated by the lowest and most prejudiced anti-Irish classes of society; and upon those feelings, with willing talent, the hon. Gentleman had profitably traded. If ever there was a question which ought to be judged exclusively upon its merits—if ever there was a question, the consideration of which ought to be divested of prejudice or passion—it was the question which involved the imposition of heavy taxation upon a burdened and impoverished country. He confessed that when he heard the hon. Gentleman, on giving notice of his Motion, declare, with a quiet sneer which it was impossible not to interpret, that he should defer the consideration of his Motion till the Irish Members had recorded their vote on the proposal of the Government; and when he had heard another hon. Gentleman hold out the Motion *in terrorem* over the Irish Members, as a judgment which might be inflicted upon them if they failed to follow a minority of the House into the lobby; and when he heard another hon. Gentleman declare that his vote upon this question should be determined by the vote of the Irish Members on another question—he protested that he felt inclined to coincide in opinion with those who thought that the House could not form a just opinion upon Irish affairs. What would be thought of the feeling of Irish Members if they were to propose a Bill for the introduction of every monstrous and oppressive clause of the Irish poor-law into the poor-law of this country, merely because the income-tax was extended to Ireland, and because the House had lately refused an inquiry into the working of the poor-law in that country? Yet such a course would be less absurd and ridiculous than the system of recrimination which the House had avowed. With regard to the discovery which the hon. Member for Marylebone had made, that there was one bad thing which did not exist in Ireland; and with regard to his extraordinary anxiety to supply that deficiency, he admitted that he agreed with the hon. Member in thinking that property in Ireland ought to be amenable to income-tax. He thought it was just to the people of this country, and necessary for the welfare of the people of Ireland, that every man, and every description of property, should be made to bear his share of the national burdens. Whilst the tradesmen of England were contributing to the necessities of Ireland, and whilst the former was endeavouring to bear up against an impossible experiment, was it not monstrous that the man who received twenty times the income of either, should be allowed to sneak out of the difficulty and escape free? So far from thinking that the present circumstances of Ireland exonerated her people from the payment of an income-tax, he was of opinion that the present condition of the country was the very reason why they should be taxed. It had been his intention to propose an Amendment as a modification of the hon. Gentleman's resolution, but, as he was informed, he could not now put it. As he could not vote for the resolution without the modifications which he thought were necessary, and as he could not vote for the raising of funds the application of which he could not control, he should be reluctantly compelled to vote against the proposition. He would not now moot the question as to whether Ireland was able or unable to bear an income-tax, or whether it was expedient to inflict one. If that country was to be doomed to support its own poor out of its resources, let the result of the experiment be the test of the policy, and let the future be the judge. It was unreasonable that Ireland should vote money for foreign purposes, when the people of the country were in a state of destitution; but it was outrageous to suppose that its resources should be carried to swell the wealth of another country, while the population were actually starving. What was the condition of the poor, and what were the resources of the country? A petition had been sent to him for presentation within the last three months, from the inhabitants of the united parishes of Ballintubber and Burriscarra, in the county of Mayo, which presented a faithful picture not only of the condition of the parish, but of the condition of the whole country. The petition declared that the petitioners were compelled to submit to the House that, under the present circumstances of the country, the poor-law in the county of Mayo afforded no adequate provision for the wants of the people—

> "Either as an available fund or as a wise provision, inasmuch as any amount of money collected from those who are themselves on the verge of pauperism is necessarily insufficient to save from destruction the immense numbers of human beings now suffering all the horrors of famine through the country: and as the greater part of those who are liable to pay have been found unable to meet their debts, hundreds of the poor in these parishes, who have been compelled to give up their holdings and throw down their houses in order to obtain relief, congregate together in crowds in the narrow filthy cabins which survive the general devastation, or perish in the ditches to which they have fled for temporary shelter from cold, hunger or disease."

Lest this might be considered but a picture of partial distress he felt it his duty to read to the House a more subsequent statement, contained in a letter which he had received from Mr. J. Browne, the Catholic clergyman of the parish of Ballintubber. In that letter the rev. gentleman (whose statement was most worthy of credit) gave a list of the persons who had died of starvation, many of them in the ditches by the way side—men, women, and children all had died of starvation. He stated—

> "Since Sunday last the following persons have died of hunger:—Walter Burke, Anthony Roache, Michael Joyce, Thomas Byrne, Mary and Kitty M'Nulty, James Lally's wife, Bridget Walsh, Anne Barnicle. Ned Burke, the son of a widow, applied for relief three times, nine in family; offered to give up house and land for one quart of meal; refused relief without a certificate from the middleman landlord; refused unless applicant threw down his house: applied to the agent of the head landlord, Lord Erne; would not interfere. When relief came at length, the man was a corpse; this occurred at Melton-hill, in Ballintubber. In the same village Michael Connor was starved to death; offered to give up his land; not accepted. Mary Tuaghy, John Donnelan, and Peggy Morrin were found dead in a ditch. They applied for relief, and were refused. We are now three days without food; the guardians say they can't get in their rates, and the lives of thousands are thus hanging on the prospects of relief, only to be dragged at the point of the bayonet from wretches themselves not many degrees from starvation."

But this statement was exceeded in horrors by that of a gentleman who, writing from the county of Galway, and speaking of Clifton, stated that the union was a waste and unprofitable desert—not one fourth of the tenants trying to pay their rent. This gentleman further stated that the workhouse, which was built to contain 300 persons, had now 700 within its walls, and that the hospital, which was built to contain forty patients, was now in the occupation of one hundred and sixty dying persons. The workhouse had become a murderous bastile, the deaths being thirty-six in a week; yet hundreds of wretched creatures were wandering about the streets, stretched by the walls, or squatting beneath doors. The writer declared that he had seen deaths resulting from starvation, but that he had never seen anything half so appalling as the scenes which he witnessed at Clifton. He had seen one woman, who had died in the streets, with her breast eaten out by dogs! Other letters to the same effect had been forwarded to him; but the details were so loathsome and disgusting—so painful to the feelings and so degrading and humiliating to human nature—that he would throw a pall over them, and refrain from making known their ghastly realities. From such a state of things the hon. Gentleman the Member for Marylebone proposed to extract his income-tax. The circumstances of Ireland were now identical with the circumstances of the Carnatic, as adverted to by Mr. Burke; but when addressing the House on the occasion of the memorable oration on that subject, that distinguished philosopher pointed out that, in order to prepare a people who had passed through a period of distress for future submission to taxation, a Government must commence by maintaining them; and his words were, that, in such a case, the road to economy lay not through receipts but through expenditure. The maxim applied not to one country, but to all lands and through all time; and if hon. Gentlemen now could not effect a satisfactory compromise of the conceptions of Mr. Burke and of the impulses of the hon. Baronet the Member for Marylebone, he begged of them by their votes that evening to indicate their acknowledgment of the wisdom of the former policy by rejecting altogether the proposition of increasing the burdens of a people who already bore more than their share of taxation.

Mr. FAGAN had risen when the hon. Baronet the Member for Marylebone resumed his seat; but he did not regret not succeeding in catching the Chairman's eye, as the hon. Baronet was followed by one far more competent to reply to his statements, and who was so thoroughly master of the subject—he meant the hon. Member for Waterford (Sir H. W. Barron). He would confine himself to the task of replying to a few points in the hon. Member for Marylebone's speech, which were not touched on in the able address of the hon. Member for Waterford. But, first, he must express his astonishment at the inconsistent course adopted by the hon. Member for Marylebone. He voted last week on all the divisions against the income-tax, because it was unjust, unequal, and inquisitorial; and yet he came forward that night to put such a tax, without amendment or alteration, on Ireland. This was inconsistent, and not a course he should have expected the hon. Baronet would have pursued; for there was much in his character he admired. He (Mr. Fagan) had the advantage of him in consistency; for he voted against the income-tax for England, because it was unequal and inquisitorial; and he would record his vote against it that evening, for the same reasons. The hon. Member occupied a large portion of his speech in speaking of the new poor-law for Ireland. He read a list of unions where the rates paid did not average more than one shilling in the pound. Now he (Mr. Fagan) must say that it was not fair to take the payments made before November, 1847, when these returns were made, as the collection of poor-rates for Ireland, as it was notorious that since that period three times that poundage had been paid; and the rate now amounted, according to the statement of Her Majesty's First Minister, to over 2,000,000*l.* a year. But he could not see what connexion the poor-rates, nor the present impoverished state of Ireland, had to do with the question. He would take much higher ground than a mere argument *ad misericordiam,* and say that the tax should not be imposed upon Ireland, because she already paid more than her just contribution to the imperial expenditure. But before he dwelt on that question under debate, he could not pass over some of the remarks of the hon. Member for Marylebone on somewhat too irrelevant a subject. The hon. Member had spoken of the desire evinced last year by Parliament and the English people of assisting Ireland in its destitution; and then he turned round and asked how it had been appreciated by the Irish Members and the Irish nation? Now, he (Mr. Fagan) would repeat what he had stated more than once before in that House, that the people of Ireland were deeply grateful for the exertions, the generosity, the good feeling exhibited last year by the English people in their voluntary contributions, and to the Parliament for its unanimous vote for its relief. It was, therefore, not fair of hon. Members who knew nothing of Ireland to taunt its people so repeatedly with ingratitude, when the contrary was the case, as stated by those who knew the country well. But the hon. Baronet had singled out as the special object of his attack his hon. Friend the Member for Limerick (Mr. John O'Connell), who, he regretted, was not then in his place to defend himself, which he could do so effectually, and with much more ability than he (Mr. Fagan) could. But it never was his habit to allow an absent Friend to be attacked without coming to his aid with the little ability he possessed. It appeared that one cause of the attack on the Member for Limerick was, that, in replying to an address presented to him in Paris, he stated that the Irish had been supplicating in vain for relief from the English in the hour of their destitution. Now, he (Mr. Fagan) was in a position to say confidently that the Member for Limerick never meant in this statement to allude to the transactions of last year. He referred to the refusal of the Government to give aid from the imperial resources during the present year, when the distress was as great as last year, employment less, and deaths by famine quite as numerous. Again, the hon. Member spoke of a paragraph in the same address about "the atrocious calumnies" which were uttered in that House against the religion of the Irish people. Who could fairly blame the Member for Limerick for that? There was nothing men were more sensitive of than about the religion to which they were attached; and it was surprising with what patience the Roman Catholic Members of that House submitted to the insults occasionally put upon the religion they professed. But a few nights ago, the learned Recorder of London called the religion of the Roman Catholic Members of that House, and of nine millions of his fellow-subjects, and many millions of his fellow-men "superstitious mummery;" and yet the Roman Catholic Members, satisfied with the mild yet telling reproof of the noble Lord the Member for Arundel, submitted to the insult on the holy religion to which they were attached. [Sir JOHN TYRELL rose to order. He did not think the hon. Member could allude to a former debate, and which had no connexion with the present discussion.] He admitted that in point of order he could not refer to a former debate. He would therefore dismiss the subject with this observation, that these remarks were drawn from him by the comments of the Member for Marylebone on the words "atrocious calumnies on our religion," which he quoted from the reply of his hon. Friend the Member for Limerick; and he could not, as one sincerely attached to the holy religion of which he was a follower, pass by these comments. But to come to the subject-matter under debate. The hon. Member stated that England paid, including the income-tax, twelve millions assessed taxes from which Ireland was free. The Member for Waterford said that this was an enormous exaggeration. Now he was not disposed to concur in that view. The Member for Marylebone was too acute and intelligent to put forward a statement which was not accurate. He therefore took the figures to be correct. But let it be remembered that before the Union England owed 420,000,000*l.*—the interest of which amounting to sixteen millions she had every right exclusively to pay. Ireland had nothing to say to it. It was most unjust that she should, as she did, pay any share of it. Therefore, when England paid twelve millions exclusive taxation, she paid four millions less than she ought. So much for that argument. The Member for Marylebone stated that Ireland paid no part of the income-tax. Now, he would simply reply to that—that the right hon. Baronet the Member for Tamworth, in 1842, imposed the additional stamp duty and one shilling a gallon on whiskey, which he estimated at 410,000*l.*, distinctly as an equivalent to her proportion of the income-tax according to her ability. The hon. Baronet then referred to the resolution passed at the council in Dublin last November, in favour of an income-tax. He was present at that meeting, and seconded on that occasion the first resolution proposed by his hon. Friend the Member for Longford (Major Blackall). The second resolution, having reference to the income-tax, was passed from a feeling that the Irish proprietary would prefer to preserve the lives of the people at their own cost, rather than seek aid again from England. Anxiety for the destitute suggested that resolution; but he must say, that the universal feeling was opposed to the tax as unequal and inquisitorial. The case alluded to was no justification for the present proposition, imposing a permanent income-tax on Ireland. The Member for Marylebone next impugned the conduct of the Irish Members who voted for the income-tax in all its odiousness on England. Now, he must say that it was not fair to single out the Irish Members from the others who so voted. So long as it was an Imperial Parliament all Members were alike—there was no distinction, and there should be no distinction. For his part, he made it a rule never to attribute motives for conduct to any one unless they were patent as day. He as readily admitted their motives were pure, as he claimed the same admission for himself. He would say in reference to a remark which fell from the Member for Mayo (Mr. Moore), that his vote was not given against the income-tax, in order to weaken the arm of the Government. He never gave a vote in that House which he could not conscientiously account for; and he would account for his votes on the budget and income-tax. He voted against the Government, because he believed they were wrong; he voted in accordance with the wishes of the English people, because he believed these wishes were based on justice. He voted for his hon. Friend the Member for Montrose's Motion, to reduce the expenditure, because he had seen in time of peace—since 1835—that expenditure was annually increasing by millions. And he felt convinced if a stop were not put to it that it would inevitably bring the income-tax on Ireland. He did not see at that time, neither did he see at the present moment any danger of peace being disturbed. There was no longer any danger from the Spanish marriage question. France and Europe had enough to do in their internal affairs; and, therefore, he believed there was no fear of war and no necessity for war establishments. Therefore he voted for diminished expenditure. He voted, too, for the hon. Member for Cockermouth's Motion, because he knew how unequal was the income-tax—an inequality admitted by the hon. Member for Westbury, who in a most powerful speech showed the necessity for a revision of the tax, though his vote was for its imposition for three years. Lastly, he (Mr. Fagan) voted for its imposition for only one year; for he felt convinced that in one year that revision could take place; and it was, therefore, unjust to continue the tax with all its deformities for three years. These were his motives for the votes he gave. The hon. Member for Marylebone asked why a merchant in Belfast was exempted from the tax, while the merchant in Bristol paid it—why the doctor in Dublin was exempted, while the London practitioner paid — why the Irish fundholder escaped, while on the English it was levied? His simple answer to these questions was, that Ireland received no benefit from the income-tax—England did. The hon. Member for Westbury (Mr. Wilson) stated that England gained twenty times more than she paid by the income-tax. Why? Because it enabled the Government to let free the springs of industry—because it gave an impulse to her manufactures. Of the 7,600,000*l.* of indirect taxation taken off by the right hon. Baronet the Member for Tamworth, nearly 2,000,000*l.* was taken *in toto* off articles, many of which were the raw materials for manufactures. Without the imposition and continuance of the income-tax, it was admitted this could not be done. Now, Ireland could not participate in these advantages, if an income-tax were imposed on her, because she was not a manufacturing country. He received a few days ago a letter in which was given a statement of the comparative exports of manufactures from England and Ireland in 1844. The precise year was of no consequence in the argument. He would read the return that the House might see at a glance how Ireland stood as regards manufactures beside England :—

Articles.	Great Britain.	Ireland.
	£.	£.
Of apparel, in value, imported	613,671	1,488
Brass and copper manufactures	644,048	200
Hardware	1,745,260	259
Iron and steel	2,586,136	4,697
Cotton manufactures	16,249,268	4,782
Cotton yarn.......................	7,193,771	443
Linen manufactures	2,783,629	19,594
Linen yarn	819,450	79,380
Silk manufactures	667,938	14
Woollen manufactures	6,789,943	289

This return showed how utterly profitless, as an impulse to manufacturing industry, would be an income-tax for Ireland. Again, the increased expenditure caused the continuance of the income-tax. Now, Ireland was not benefited by that excess of expenditure. For instance, in the colonies the Army cost 3,000,000*l.* a year, without taking any account of the Navy and Ordnance departments. The colonies were useful to England, because they were markets for her manufactures. To Ireland they were of no value. Even the provision trade she had with the West Indies free-trade had taken away altogether. Canada could not be said to be of value to Ireland, for emigration was no benefit to her. Her soil, if her social condition were improved, could maintain double her present population in contentment, and emigration would not be required. What she required was, measures of justice and amelioration. But the hon. Baronet said that Ireland did not sufficiently contribute to the general expenditure. Now, let it be remembered that the financial basis of the Union was, that Ireland should not contribute beyond her ability. It was admitted that two-seventeenths was far beyond her ability. By a return of the payments made by Ireland into the Exchequer from 1800 to 1844, it was proved that one-twelfth was the proportion she was able to contribute. If that or even one-tenth were the proportion instead of two-seventeenths, which she was made to pay by the Act of Union, the exchequers would never have been consolidated, for the Irish debt would never have come within one-tenth of that of England. Well, if the exchequers were separated, the two debts would be separated. Now let us suppose the two countries so circumstanced relatively to each other, and let us suppose the general expenditure to be what it was estimated for next year, for which an additional 2 per cent income-tax was required — that is, 54,000,000*l.* Deduct from that the interest payable before the Union—17,000,000*l.* —that leaves 37,000,000*l.*, one-tenth of which would be Ireland's proportion—that is, 3,700,000*l.*, to which add the interest of her own debt, 1,300,000*l*, and there would be 5,000,000*l.* as Ireland's share of the payment. Now, there were Parliamentary returns showing that the average acknowledged receipts from Ireland from 1801 to 1844 was 4,500,000*l.*, and the unacknowledged taxes—teas, for instance—amounted, at the least computation, to 1,000,000*l.*; that would give 5,500,000*l.* as Ireland's annual payments, while her liability would be but 5,000,000*l.*, supposing the general expenditure 54,000,000*l.*, which was 6,000,000*l.* more than it was a few years ago. He was aware that of late, under the Warehousing Act, the teas and other articles were now taken in bond, and that the unacknowledged taxes were not so great; but it came to the same thing, and the gross acknowledged payments would be found to have increased in proportion as the unacknowledged diminished. The hon. Member for Waterford had very ably referred to the question—how could the tax be raised in Ireland if imposed on it? Judging from the past, that was a most judicious inquiry. In 1807 the taxes imposed upon Ireland amounted to 4,500,000*l.* Sometime after, additional taxes were imposed to the amount of 3,000,000*l.* What was the consequence? Why, the receipts into the Exchequer were immediately, in consequence, reduced below the original 4,500,000*l.*; showing that if a country is burdened beyond her ability the Exchequer was rather injured than served. There was but one other observation, and he was done. The hon. Baronet spoke of the danger of his visiting Ireland as a foreigner, insinuating that he might be assassinated. He deeply regretted to observe so often those taunts and insinuations vaguely thrown out in that House against the Irish people. It did really more in creating discontent, irritation, and estrangement, than hon. Members were aware. The Irish were remarkable for their kindness and hospitality to the stranger. True it was that various causes produced agrarian crimes in that country. No one more deeply deplored it than himself —no one was more pleased at the result of the special commission. But he boldly asserted, putting aside these agrarian outrages, that there was not on the earth a people more free from crime than the Irish. Do the people justice, improve their condition, and the agrarian outrage would also disappear. The hon. Member concluded by thanking the House for the attention with which they heard him.

Mr. GEORGE A. HAMILTON said, that however strongly he might differ from the hon. Baronet the Member for Marylebone, as to the justice and policy of the proposition submitted to the House, he felt bound to say that he by no means agreed in the strong animadversions which his hon. Friends the Members for Waterford and Mayo had used in reference to the manner in which the proposition had been brought forward by the hon. Baronet. There was nothing, he thought, in the speech of the hon. Baronet on this occasion to call for such severe animadversions. With respect to the question itself, he was quite sure there was no Member connected with Ireland who would not at once admit, that if the circumstances of the two countries were equal, or even approximating to an equality, the application of taxation should be equal also; and for himself, he could assure the House that he was greatly disinclined to advocate peculiar exemptions —the exemption of peculiar classes from taxation. Considering the nature and origin of the national burdens, he was ready to admit that it was most desirable it should be felt that they rested equally and justly upon all classes of Her Majesty's subjects, according to their different means and ability to bear them. But he was equally certain, that no Englishman would deny, that in the application of taxation to the two countries, it was just, and reasonable, and expedient, that the ability of each to bear that taxation, should be the groundwork of their deliberations on the subject. This was a proposition too self-evident to require argument in support of it. It was quite obvious, that the effect of overburdening a country with taxation beyond its ability, would be to paralyse its industry, to diminish or destroy its power of creating wealth, and to defeat the very object for which that taxation was imposed. This, of course, was one reason, amongst others, why the colonies and dependencies were exempt from direct taxation. But if this was a self-evident proposition in its general import, it was maintainable as regards Ireland, not merely on the ordinary grounds, but as a matter of express compact. The 7th article of the Union, he (Mr. Hamilton) maintained, was founded upon the express stipulation that in future fiscal arrangements between the two countries, the relative ability of each should be made the standard of taxation. The 7th article provides—

> "That at the expiration of twenty years after the Union, the expenditure of the United Kingdom shall be defrayed in such proportions as Parliament shall deem just and reasonable, upon a comparison of the real value of the exports and imports of the two countries, or on comparison of the value of the quantities of certain articles therein named—beer, spirits, sugar, wine, tea, tobacco, and malt—consumed within the respective countries; or on the comparison of the amount of income in each country, estimated on the produce of a general tax, or on an average of three years."

And the same article provides subsequently, that—

> "If it shall appear to the Parliament of the United Kingdom, that the respective circumstances of the two countries will henceforth admit of their contributing indiscriminately by equal taxes,"—

it shall be competent to Parliament to declare that all future expenses shall be borne by equal taxes, subject only to such peculiar exemptions or abatements in Ireland or Scotland as circumstances may appear from time to time to demand. He was quite aware that the particular arrangements made in the 7th article, may be said to have been superseded by the consolidation of the exchequers, and the Acts of 1816 and 1817; but he had referred to that article of the Union, not for the purpose of raising any argument as to the arrangements then made for distributing the burdens of the two countries, or as to their justice or injustice, or as to their fulfilment or non-fulfilment, or as to the alterations made by the consolidation of the exchequers, or since, though much might be said on these subjects; and they had been adverted to by the hon. Member for Cork; but for the purpose of proving—and he thought the proof conclusive—that the relative ability of each country to bear taxation—the circumstances of each country, were made, by express stipulation, the groundwork and principle of future taxation. The question, therefore, he thought, resolved itself into one of fact; namely, whether the circumstances of the two countries were or were not such as to admit, without injustice, of the application of equal taxation; and the observations with which he should trouble the Committee should be directed exclusively to that one point. He believed it was impossible, in consequence of the custom-house regulations which now existed, to ascertain accurately the ability of the two countries by the several standards proposed in the 7th article of the Union; but still there were means of comparing them in some points; and if it should appear that wherever you can institute a comparison, there is not only no proximate proportion between the two countries in point of ability to bear taxation, but a disproportion in most things so great as to be scarcely capable of estimation, why he thought he would have a right to deny that it was either just or expedient to impose the same taxes upon Ireland as upon England. He supposed it would not be denied that in instituting a comparison between two countries, as regarded their ability to bear taxation, the population of each must be taken as the basis; and the ability of each to bear taxation must depend upon the proportion which wealth, in all its ramifications and channels of circulation, in one of those two countries, bore to wealth in the other as compared with their population: that is to say, supposing the population of the two countries to be equal, in order to their possessing equal ability to bear taxation, the wealth of the one should be equal to that of the other; and supposing the population unequal, in order to their possessing equal ability to bear taxation, the wealth of the one should be to the wealth of the other in the same ratio or proportion as the populations respectively. These were simple propositions; but he thought the deductions he should draw from them would appear not unimportant. Now, he would ask the Committee in what manner could the wealth of a country be measured, and a comparison instituted with the wealth of another country? Why, in the first place, he would say the comparative value of landed property, and property generally, would be a measure—then the quantity of other realised property—then the trade, commerce, and manufactures, represented by the exports, imports, number of vessels belonging to each, or trading to each, customs and excise receipts, postage and other receipts, supposing the duties equal. These, in their relation to population, appeared to him to constitute both the ingredients and the measure of national wealth. He would endeavour now to institute a comparison between Great Britain and Ireland on these principles, and in some of these particulars. The population of Great Britain, in round numbers, was eighteen millions, that of Ireland eight millions; the basis, therefore, was a proportion of 2¼ to 1; and wherever a comparison could be instituted between the countries, Great Britain should be to Ireland in respect of wealth in the proportion of 2¼ to 1. If this were the case, an equal amount of wealth would be distributed among the population of each, and their ability to bear taxation would be equal. He would now compare the two countries, first, as far as he could in respect of trade. If hon. Members would turn to the tables of trade for the year ending January, 1846, they would find under No. 14, an account of the imports and exports of the United Kingdom. The exports of the two countries, calculated at the official rates of valuation during the year ending January, 1846, according to that table were as follows:—Great Britain 150,645,018*l.*, Ireland 234,968*l.*; thus, at the very outset, in these figures—which he supposed represented, at least, the foreign trade of the two countries, and, to a great extent, the manufactures also—there was the enormous disproportion of more than 600 to 1. The imports, as set forth in the same table, were as follows:—Great Britain, 8,330,609*l.*; Ireland, 1,951,349*l.*, a disproportion of about forty to one. The Committee, of course, would understand that he adduced these figures not as a measure of the quantity of imports consumed in Ireland—for he was well aware that the imports consumed in Ireland were, for the most part, imported into Bristol and Liverpool—but as a measure of the trade of the two countries comparatively. The next item he would take were the customs receipts, which would be found in table 17; the amount was not added up in the table; but he had done this roughly, and he believed the result would be found nearly as follows:—Great Britain, 18,900,000*l.*; Ireland—2,332,000*l.*, a disproportion of nearly nine to one. Turn now to the number and tonnage of steamers, table 50:—Great Britain, 833 vessels, 100,071 tonnage; Ireland, 79 vessels, 18,069 tonnage—a disproportion in respect of tonnage of five to one. Take postage, table 32:—Great Britain (not including London), 1,506,991*l.*; Ireland, 158,312*l.*—a disproportion of nearly ten to one. But it was scarcely necessary to proceed further under this head; for every one, he supposed, would admit that Ireland had neither commerce, nor foreign trade, nor manufactures, to compare with Great Britain, nor wealth so employed. But land, it might be said, was the staple of Ireland. He recollected that when Mr. Roebuck, in 1845, proposed to extend the income-tax to Ireland, he felt so strongly pressed by the considerations connected with trade, manufactures, and professional incomes in that country, that he had only ventured to propose that the tax should be extended to incomes from land. The hon. Baronet was not so generous. By his Motion, the tax would be extended to every species of property. But land being the staple of Ireland, he would now take up the case of the land of Ireland. Before making a comparison between Great Britain and Ireland in that respect, it was necessary he should advert to the charges—the public charges—to which land in Ireland was now subject. He knew the dislike which the House had for figures; and although he held in his hand a statement of all the particulars, he could enumerate them only under the heads, and as briefly as possible—under the heads of advances to grand juries, labour relief, and food relief; the expenditure, in fact, of the last year and the year before, after deducting all sums converted into grants by Parliament. The land of Ireland was liable during the present year, not including compensation for damages or land taken under the Labour Rate Act, to repay no less a sum than 1,283,000*l.* The poor-rate, he could easily show, would amount, at the very least, to 2,000,000*l.*—the grand-jury rate to more than 1,000,000*l.* He had the particulars in his hand, but would not trouble the Committee by going through them. The sum total of these charges would be at least 4,300,000*l.*, or nearly

33 per cent on the valuation of land in Ireland. Besides this, there was local taxation for other purposes in towns, amounting to about 200,000*l.*; and it should also be borne in mind that the charge was assumed to be equal over the whole country, whereas it would be highest where the poverty was greatest. He was now in a condition to compare the land of Ireland with the land of England in respect of the charges upon each, and their ability to bear those charges. The Committee of the Lords, in 1846, had gone very fully into the subject of the burdens on land in England, and they made the following statement in their report:—

> "The intensity of the pressure of a burden must be measured by the relative ability to support it, and the Committee therefore place before the House an estimate of the rateable value of real property on which the enumerated burdens are assessed. According to a return made to the House of Lords, the annual value of the real property assessed to the poor-rate in England and Wales, in the year ending Lady Day, 1841, amounted to 62,540,000*l.*—the land-tax, highway, church and poor-rates alone, amounting to 9,687,950*l.*—would thus be equivalent to an income-tax of above 15 per cent on the annual value of real property in England and Wales. If to the above sum of 9,687,950*l.* is added the tithe rent-charge not merged in the land, 4,500,000*l.*, making a total of 14,187,950*l.*, the contribution levied annually on real property for the public service under the five heads of tithes, land-tax, poor, highway, and church rates, is equivalent to an income-tax of nearly 23 per cent on 62,540,030*l.*, the rateable value of the real property in England and Wales."

Now he would just remark, that he was not disposed to admit that either land-tax or tithe rent-charge form what is properly called a burden on land; but he would assume for the present that they were; and he must also remark that the valuation of real property in England and Wales, as derivable from the income-tax, appears to be nearly 85,000,000*l.*; but inasmuch as the poor-law valuation of Ireland might be said also to be under the real value, he would take both at the rateable value for poor-law purposes. Well, then, how stood the case? The charges in England and Wales, as enumerated, amounted to 14,187,950*l.*, add to that the amount of income and property-tax for the year ending April, 1846, Schedule A, 2,268,868*l.*, and they had the charges on land in England and Wales, including property-tax, 16,456,818*l.*; being as nearly as possible 30 per cent on the valuation of 62,540,000*l.* Now, turn again to land in Ireland. He had already stated and proved that on the lowest calculation the charges on land in Ireland under the heads of labour-rate instalments, relief instalments, poor-rates, and grand-jury rates, must be taken at 4,300,000*l.* In order to make the comparison complete, it would be necessary to add to those charges the tithe rent-charge. The tithe rent-charge of every description, lay and ecclesiastical, was about 486,000*l.*, so that the burdens upon land in Ireland, corresponding with those in England, enumerated in the Lords' report, would be 4,786,000*l.*, being more than 36 per cent on the valuation of 13,204,214*l.*, so that while the burdens on land in England and Wales, including the property-tax, were 30 per cent, the burdens on land in Ireland, without any property-tax, were more than 36 per cent. He would not enter now upon the question of the liability of all absentees to the income-tax. It was generally supposed that between three and four millions a year of the rents of Ireland were transmitted to this country; and it was also a fact, that a large amount of the interest payable to mortgagees and creditors was transmitted to this country. To that extent, therefore, Ireland was at present liable to the income-tax. Neither would he go into the subject of the justice or expediency of taxing legal professional incomes, or incomes derived from trade in Ireland. With respect to those, it might perhaps be difficult to maintain, upon abstract principles of justice, that they ought not to be taxed in Ireland, when they were taxed in England; but he would remind the Committee how important it was as a matter of policy, considering the poverty of Ireland as compared with England, to encourage and foster every means of adding to the wealth of the former country; and he recollected last year the noble Lord at the head of the Government had urged very frequently the necessity of giving every encouragement to the small merchants in different parts of Ireland—a class which, in the altered state of that country, would be essential to supply the wants of the population. The income-tax, it was obvious, would operate as a discouragement to them. He was anxious, before concluding, to take the opportunity of stating that, notwithstanding the present position of affairs in Ireland, he was far from despairing of the fortunes of that country. Ireland had been exposed, during the last two years, to an extent of distress which was unparalleled; but he hoped and believed the trial in its result would prove beneficial—he hoped and believed that all classes would be induced henceforth to rely more upon themselves than they had done hitherto—to confide more in their own energies than in legislative measures. And he felt bound to say, in conclusion, that he had the greatest confidence in the noble Lord the present Lord Lieutenant of Ireland. He admired the manner in which that noble Lord had applied himself to the Government. By the capacity of mind and knowledge he had displayed—by the anxiety he had evinced to encourage the development of the industrial resources of Ireland—by his firm, temperate, and impartial administration—punishing and repressing crime, and discouraging agitation, he had secured for himself the confidence of all the well-affected of all parties in that country; and he felt assured that this confidence in the Lord Lieutenant would assist materially in raising Ireland from her present prostrate position. Entertaining these the opinions he had expressed—being convinced that such an equality, in respect to the ability to bear taxation, did not at present subsist between the two countries, as would make it just or expedient to add to the taxation of Ireland—he should feel it his duty, not only as an Irishman, but as a Member of the Imperial Parliament, to offer all the opposition in his power to the Motion of the hon. Baronet.

Mr. NAPIER said, that notwithstanding the vote he had given on a former night he was prepared to vote against the extension of this tax to Ireland. When he entered the House he was determined that every vote he should give should be without any reference to party questions, but should be given purely on conscientious principles; and, finding no substitute proposed for the diminution in the revenue, he had certainly thought it his duty to give his support to the Government, that they should in no respect be crippled in their resources. But he opposed the Motion of the hon. Baronet on the present occasion on the ground on which it was so ably put by his hon. Colleague, viz., that the circumstances of the two countries required a difference in the legislation; and he did not find that upon other occasions it had been sought to carry out the principle of assimilation so perfectly as to prevent any difference. As to the fact that when the tax was first laid on in 1842, Ireland was exempted, he took it for granted there was good reason for that exemption. At that time a great plan was proposed as to free trade, and this income-tax was supplemental to the great experiment. On that experiment he was not about to give an opinion; but it was acknowledged on all hands that Ireland would not be benefited by the experiment to the same extent as England, because it was a measure rather of a commercial than of an agricultural policy. That, however, was no ground why the income-tax should not be applied to Ireland; but in 1845, when the general question came on, Ireland was again excepted, and the matter was brought specially under the notice of the House by the Motion of the hon. Member for Bath (Mr. Roebuck), who pressed the House to include Ireland. The same reasons were produced again: the circumstances of the two countries were considered; and the same conclusion was come to by a very large majority of the House—a majority of upwards of 250 negativing the Motion of the hon. and learned Member for Bath, who merely proposed the application of the income-tax to property, and did not profess to extend it to professions or trades. If, in 1842 and 1845, when the matter was so fully debated and considered upon the grounds of justice, and upon the grounds of policy and reason, it was thought fit not to include Ireland in this tax, and if the income-tax never had been applied to Ireland, why should it occur now to the minds of any persons that in point of justice that which was considered right then, should now be considered wrong? Had anything occurred in the interval which rendered it especially necessary now to include Ireland? He put the case fairly, because he admitted, in regard to the vote of the other night, that if it should have the effect of extending the tax to Ireland, he did not regret that vote; he gave that vote on its own merits. He wished to put the case of his country on principles of fairness and justice. If it was just to impose this tax, he should be delighted to join in imposing it; if it was not just, he should be delighted in resisting it. If it was not just in 1845, what had occurred since? In 1846 the calamitous visitation of Providence fell upon his unhappy land, and consequently all the additional burdens which did not exist in 1845 were cast upon the land. Why should the House think it necessary to do more now than reverse the decision af 1845? for it was then admitted on all hands that the tax should only be imposed on land; but now they sought to put it not only on the land, but on trades and professions. The tradespeople had materially suffered, in consequence of the pressure upon land. The prosperity of the shopkeepers most materially depended on the prosperity of the landed proprietors. It was idle to suppose that any class could isolate itself. Every class was affected by the prosperity of the other class. The conduct of the clergy of Ireland was exemplary. No greater efforts could have been made than had been made by the clergy of Ireland. Many of the clergy had lived from week to week, during the famine, on the simplest fare, in order that they might be able, as far as possible, to assist the poor. As to the medical profession, he need not remind the House that it had suffered greatly, and that the loss of life had been most serious. His own profession, that of the law, had not been injured to the same extent. In reference, however, to the gentry of Ireland generally, he asked whether it would be wise, in order to obtain a small amount, to impose on them so galling a tax, and thus entirely break their spirit? In the mode in which this question had been brought forward, he saw no just ground of complaint; but that did not weaken his objection to the proposition itself. The two countries could not be fairly compared. There were many inequalities in their present position. As an illustration of this fact, he would remind the House that upwards of 1,500 of the clergy of Ireland conscientiously objected to the established system of education, and did not feel at liberty to receive the assistance provided for them. Before the two countries were burdened with the same liabilities, they must be placed in all respects on a more equal footing.

Colonel CONOLLY thought this the most inopportune and inauspicious occasion that could be conceived for bringing forward such a Motion as that before the House. The hon. Baronet had chosen the very time when Ireland was most depressed, and in the greatest difficulty, to place upon her this additional burden. When the tax was introduced in this country it was under impression, whether right or wrong, that England would be benefited by another measure which accompanied it; but as no advantage had been conferred upon Ireland, he contended that the tax ought not to be imposed on that country. On the part of his constituents and himself, he thanked the English people for the generous, liberal, and boundless charity they had manifested towards the Irish; and he repelled the insinuation of the hon. Baronet that the Irish were ungrateful for English favours. He spoke with gratitude of the generosity of England; and he would also speak in just commendation of the disposition with which the people in that part of Ireland with which he was connected received the bounty of their English brethren, and acknowledged their benefactions. The right hon. the Chancellor of the Exchequer said that Ireland stood indebted to England in the sum of 4,650,000*l.*, being half of the money lent to Ireland. Was it the intention of the hon. Member for Marylebone to superadd to that debt this charge upon the Irish people? He would take upon himself to say that either the 4,000,000*l.* due or the income-tax must remain unpaid. He was sorry to be obliged to state that all legislation that had taken place in that House for a number of years had had the effect of increasing the charges and burdens on Ireland. He was ready to admit that Ireland should maintain its own poor. Whilst Ireland, in addition to the great calamities which had befallen her in the shape of a famine, was labouring under the burden of a great experiment, the poor-law, he did not think it would be fair to oppress her still further by the income-tax. As an Irish landlord, he himself had no great reason to complain; but he knew numbers of that class who were at present in very, very great distress. Some of them had not even obtained what would pay off the interest due to the mortgagees of their estates, and they were living under the menace of having their mortgages foreclosed. He admitted that this was an argument *ad misericordiam;* whilst, at the same time, he denied that there was analogy between the circumstances or capabilities of England and those of Ireland. He also denied that the hon. Baronet the Member for Marylebone had laid any reasonable foundation for his proposition. Indeed, if the House acceded to the hon. Baronet's proposition, there was no possibility of anything being received from Ireland. He hoped, then, that the House would not think of extending to Ireland this tax, which, even with regard to England had been denounced as oppressive and unjust. He hoped that the Chancellor of the Exchequer would follow the example which had been given him by his predecessors, and that, with them, he would admit that the extension of the tax to Ireland would well nigh terminate in the utter destruction of that country. He hoped he would resist this unjust proposition, and take his humble assurance that it would not be worth his while to impose an income-tax upon Ireland. It was not many years since it was found advisable to take off the assessed taxes from Ireland; and for what reason? Because of the 112,000*l.* that was collected scarcely anything went into the Exchequer; the whole of it was lost in the expense of collection. He had no doubt that the Chancellor of the Exchequer would find the income-tax to be as unproductive as the assessed taxes. Besides, there were various circumstances in existence which made the present a singularly inauspicious moment in which to propose that such a tax as this should be imposed upon Ireland. He hoped he might say with confidence that the Government would resist this Motion.

Sir J. TYRELL, having been one of those who took an humble part in the discussion on the income-tax on a former occasion, hoped that the Committee would bear with him whilst he ventured to contrast some of the arguments that were used upon that occasion, and which induced the then Chancellor of the Exchequer to resist a proposition for extending a property and income-tax to Ireland, and endeavoured to compare some of those circumstances that had been glanced at by the hon. Members who had preceded him, and state the reasons which induced him to support the proposition of the hon. Member for Marylebone. He regretted his inability to distinguish between the disinterestedness and generosity of hon. Gentlemen who represented the various counties and boroughs of Ireland, in the course which they had taken on this occasion. The hon. Gentleman the Member for the University of Dublin resisted this Motion, because of some clause in the Treaty of Limerick—he begged pardon—of the Union, the seventh article of which, he said, provided that this tax should not be extended to Ireland; but he begged to remind the House that when this subject was discussed in 1815, the Father of the present Member for Dorsetshire (Mr. Bankes) moved that the clerk at the table should read the 7th article of the Act of Union; and that hon. Gentleman showed that it was perfectly competent to the House to entertain the question of applying the income-tax to Ireland, and very strongly urged that it should be extended to that country. He maintained, then, that there was nothing in the Act of Union which could cramp the perfect freedom of action of the English Members on this question. He lamented that some Member of Her Majesty's Government had not yet risen in this debate. He thought he had a perfect right to express his regret with respect to the conduct of the Government on this occasion. It would have been more decorous to the House, and to the country, if some Member of the Government had stated what were their views on this question. He was quite well aware of the uniformity of action between the late and the present Governments. The argument relied upon the last occasion when this measure was discussed for not extending an income-tax to Ireland, was the expense that would attend the collection of such a tax. On such grounds, then, it was decided that it would be a most inexpedient thing to extend the income-tax to Ireland. The hon. Gentleman the Member for Donegal (Col. Conolly), who had used that argument, appeared to forget that new machinery—that of the poor-law—had been introduced into Ireland since the assessed taxes had been abolished in consequence of the expense of their collection, which new machinery could be made available for the collection of an income-tax. That tax could now be collected without any great stretch of ingenuity or ability on the part of the Executive; its collection now would be but trifling. The unanimity of Irish Members, so divided on other questions, was most extraordinary and wonderful on this. They all decried an income-tax for Ireland. Now, in his opinion, circumstances had lately arisen which ought to justify the House in altering the vote which they gave when this question was last before them. Her Majesty's late and present Governments had thought proper to cut from under us all the old sources of revenue that formed the main timbers, the mainstays, the sinews and the nerves of this country. Although the hon. Member for Donegal had addressed to them an argument *ad misericordiam*, he thought the House should pause before they suffered themselves to be induced by such arguments to reject the Motion of the hon. Baronet the Member for Marylebone. From some of the evidence taken before the Committee of the House to inquire into the expenses of the sugar cultivation, it was evident that the Government, rather than check the progress of their free-trade principles, would contentedly suffer the destruction of our colonies and commerce. Such had been the conduct of the free-trade administration of affairs in this country, that it required a bold man at the present moment to declare that he was a merchant. All mercantile enterprise had been absolutely destroyed for the purpose of trying the great experiment of free trade. The Chancellor of the Exchequer, though he had opposed a proposal for endeavouring to render the income and property-tax more palatable to the country, had shown his sagacity by giving this qualification to his opposition—"Mind, I don't say that it may not be right and proper for the House to inquire whether the property-tax may not be made more just and equal." But hon. Gentlemen who had had the advantage or disadvantage of sitting in that House for several successive Parliaments would not attach much weight to that declaration, for they knew that nothing was more common than for Chancellors of the Exchequer to "hocus" the public in this way, in order to disguise the real intentions of the Government. The late Mr. O'Connell opposed a similar Motion to the present, on the ground that it would have the effect of drying up the sources of charity in Ireland. He was sorry to say, that those sources had been dried up to a considerable extent, and that many Gentlemen who had been in the habit of giving large sums to the poor were obliged, in consequence of the system of legal relief which had been established in Ireland, to withdraw their names from the charitable institutions to which they had been accustomed to give their support. He did not say anything against the Irish poor-law; on the contrary, he thought that its adoption was but an act of justice to the poor of Ireland. At the same time, it must be recollected that none would be subject to this tax whose incomes were below 150*l.* He confessed it would have been more palatable to him if the proposition of the hon. Baronet the Member for Marylebone had provided that the tax should not commence in Ireland until the expiration of a twelvemonth from the present time. They all knew that Ireland had undergone a great crisis—that it had suffered much from the recent famine; and, under those circumstances, it would be but fair to postpone the extension of the income-tax to Ireland for a year. When it did commence to operate, it would, no doubt, yield a permanent sum of 150,000*l.* to the resources of this country. With reference to the expense of collection of taxes in Ireland, he must do the hon. Member for Donegal the justice to say, that his country had always distinguished itself for the trouble and expense to which they put the country in the collection of taxes; for it appeared, that in 1815 the expense of collecting the taxes there was 14*l.* 13*s.* per cent, whilst in other places it was but 6*l.* 3*s.* 11*d.* But there was one very serious matter in connexion with the present taxation, to which he begged to call the attention of the House and the country, viz., that Ireland, since they required so large a military force to preserve the peace, ought to be called upon to contribute her due proportion for the extra expenditure which the orators of Conciliation Hall and others occasioned the empire. He admired the declaration of the noble Lord (Lord J. Russell) the other day on this subject. He (Sir J. Tyrell) hoped he might infer from that declaration that it was the intention of Her Majesty's Government to have Conciliation Hall shut up. If that was done, and if the Irish Members and the Irish people combined in endeavouring to induce persons of capital to expend their money in the cultivation of the soil of Ireland, the expense now incurred for maintaining an enormous army in that country might be very considerably reduced, and the necessity for an income-tax might be in a great measure obviated. But we must look at all the existing circumstances, and among them at the annual deficiencies that might present themselves in the budget, and the declaration of the right hon. Baronet that no consideration upon earth would induce him, though changeable upon other subjects, to agree to allow a deficit. We must look at that prospect of a deficiency, notwithstanding the smiling countenance of the Chancellor of the Exchequer, of whom certainly we must say, to do him justice, that he was not in the habit of putting the gloomiest aspect upon affairs. What with his hilarity, and the "wonderful unanimity" of Gentlemen from Ireland, it was difficult to tell what support the Motion might have after the dinner which was taking place elsewhere; this being a happy day for Ireland, it would be to be regretted if the harmony should be interrupted.

The CHANCELLOR OF THE EXCHEQUER thanked his hon. Friend opposite for the fairness with which he had treated this subject, and also for having given him an opportunity of expressing his opinion upon it; for every hon. Gentleman who had spoken, except his hon. Friend and the hon. Member for Marylebone, had taken the side which he himself was about to take. He should commence by stating, that he should resist this Motion, and he would then state the reasons which, in his opinion, rendered it inexpedient that the operation of the income-tax should at the present time be extended to Ireland. His hon. Friend had asked him one or two questions on this subject; the first one being whether he conceived it just that the income-tax should not be imposed in Ireland as well as in this country? Upon the strict principle of justice, he could not deny that the tax ought to be equally imposed in both countries, and that a landed proprietor or a merchant, or professional man in Ireland receiving 3,000*l.* or 4,000*l.* per year should, upon the strict principle of justice, pay the same proportion of tax upon that income as a person receiving the same amount in England. It was, however, very different when, laying aside the strict principle, the question of the benefit to be derived from the extension of this tax to Ireland came to be argued; and the House had to consider whether it were at this particular time expedient or wise to impose the same taxes on both countries. It never had been thought—as was well known to the House—indispensably necessary that identically the same taxes should be imposed on England and Ireland. There was no reason, in point of justice, why spirits in Ireland and Scotland should not pay the same amount of duty as in England; but when the Government made the attempt practically to carry out that principle, they found it perfectly impossible to exact the same amount of duty on Scotch and Irish spirits as on English. The experiment had been tried more than once, and had been found impracticable. An additional shilling duty had been imposed on Irish spirits in 1842; but in a very short time the increase was found to produce no additional revenue. This would show that it was impossible to have precisely and identically the same taxes in both countries. The grounds on which he thought it inexpedient that the income-tax should be imposed on Ireland as well as on this country were precisely the same as those stated on a former occasion by his noble Friend. His noble Friend stated that after they had for four or five years abstained from imposing an income-tax on Ireland, and that, too, when she was in reasonably prosperous circumstances, it would be hardly justifiable to impose, for the first time, an income-tax when she was suffering so fearfully under calamities of no ordinary nature. Everybody in that House knew the dreadful distress under which that country had so lately laboured, and from the effects of which she still suffered; and everybody knew that the greatest exertions were being made to obviate those evils as much as possible. It was quite true, as he had heard it argued in the course of former debates on this subject, that the property of Ireland should be made to support the poverty of that country; but they must admit that a new and heavy burden had been imposed on Ireland for that purpose. A tax had been imposed on the proprietors in Ireland to an extent which had been truly described as a burden which a year or two before they could scarcely have thought possible. The poor's rate was now levied in Ireland at the rate of nearly 2,000,000*l.* per annum. The amount of poor-rates levied in Ireland during the last few months showed a great excess over the amounts levied in the corresponding period of the preceding year. He would compare the returns of the last four months with those of the corresponding period of the former year for which he had an account. In October, 1846, the amount of poor-rates collected in Ireland amounted to 26,000*l.*, and in October, 1847, it amounted to 121,000*l.* In November, 1846, the amount was 36,000*l.*, and in last November it was 151,000*l.* In December, 1846, it was 46,000*l.*, and in last December it was 168,000*l.* In January, 1847, it was 52,000*l.*, and in January, 1848, it was 194,000*l.* [An Hon. MEMBER: Perhaps that was for arrears.] It signified very little to his present argument, whether it were or were not for arrears—the increased sum shown in the return was taken out of the pockets of the ratepayers in the space of four months. He apprehended that it made very little difference to the persons who paid the money, whether it was due for previous rates or not; their incomes were equally diminished by the payment. Taking the two periods to which he had referred, he found that the four months of 1846-1847 yielded 162,000*l.* for poor-rates, while the last four months showed a total of 635,000*l.*, or an increase to nearly three times the amount of the preceding year. It might be said that this increased payment for poor-rates ought not to exempt Ireland from the income-tax; but when so heavy an additional claim was made upon the ratepayers, proprietors, and occupiers—a claim to the extent he had stated—it would be to inflict a great hardship on them were the Government to impose an income-tax at the present moment. And he believed, moreover, that on a merely selfish principle, it would be impolitic and adverse to the best interests of the country. They were perfectly aware that at the commencement of the late calamities, the whole of that country was at first paralysed by apprehension; but latterly many of the proprietors in Ireland had exerted themselves in various ways, alleviating the miseries of the peasantry, improving their own estates—thus giving employment to the labouring population—and doing what they could for the permanent benefit of their country. He thought it would discourage and check these exertions, on which the welfare of the country so much depended, if an additional burden was imposed upon them at the present moment. He thought even if they went no further than the experience of last year, they must be convinced that the interests of the two countries were permanently bound up together, and it was impossible that any evil could fall upon Ireland without also entailing evil upon this country. The hon. Member for Marylebone stated very fairly the evil which the enormous immigration of diseased persons into some of the seaport towns inflicted upon the ratepayers of this country. By enabling the Irish proprietors to devote all their energies to the improvement of their estates and the condition of the peasantry, and the finding of employment for their poor, they would be saving this country the infliction of disease, and the many evils which would be entailed upon us by the extensive immigration of a starving people. The Irish proprietors were, he believed, finding employment for their poor to a very considerable extent; and at the present moment, when they were barely recovering from the infliction of the last year, and were exerting themselves to promote the future prosperity of their country by an outlay of money in giving employment, he thought that if they imposed this tax on Ireland, they would discourage those efforts, they would leave the evil of pauperism in Ireland without even the commencement of an effectual remedy; and in the end they themselves would suffer that which the hon. Member for Marylebone had stated as the grievous burden imposed upon the ratepayers of this country by the efforts made for the relief of the Irish pauper immigrants. These were the grounds on which his noble Friend had stated that he was prepared to resist the imposition of an income-tax on Ireland at the present time, and these were the grounds which he had on a former occasion stated to the House. He thought that they were quite sufficient to justify the Government in refraining from the imposition of the proposed tax, so far as regarded Ireland this year; and having thus briefly stated them to the House, he would not go into any further reasons for the course the Government intended to pursue. He would not go into the reasons derived from the articles of Union, to which he did not attach any importance. He believed it was perfectly competent to Parliament to impose that or any other tax upon Ireland, without the slightest infringement of the articles of Union, or of the treaty to which his hon. Friend seemed to attach as much importance—the Treaty of Limerick. Neither did he think it necessary to go into the subject of the expense of collection, or the amount that would be produced by the tax. In the circumstances in which Ireland was at present placed, it would be a hardship to inflict this additional burden upon her; and it would be prejudicial to the interests of the empire at large, because we should discourage that enterprise and improvement from which alone we could hope to see that country placed in a situation to bear those burdens which, he fully admitted, one year with another, she ought to bear.

MR. HORSMAN was perfectly willing, considering the permanent poverty of Ireland, and the nature of its recent temporary distressed condition, to make any allowance which could reasonably be asked for that country. He could not but agree with his right hon. Friend in the statement made at the commencement of his speech, that it was on no principle of justice, if the question were taken upon that basis alone, that the Government could impose an income-tax upon England, and refuse to impose it upon Ireland. He had felt that this was really the case when this subject was before the House on a previous occasion, and he should now give a vote similar to the one he then gave; but he could not help feeling that, after all, the arguments of his right hon. Friend had been condensed into two words by the hon. Member for Donegal, when he said that the whole appeal on this occasion was an appeal *ad misericordiam.* He regretted that when the hon. Member for Marylebone spoke of the Irish Members and turned the attention of the House to Irish affairs, any single syllable should have fallen from him reflecting on those whose position was one of very great difficulty. Knowing the generosity of the Irish character, he felt that they acted on the principle of doing to others as they would be done by themselves; and, knowing the acuteness of the Irish character, he felt confident that, entertaining that principle, they could not but feel, on a question on which public opinion in Ireland was so united, that it would be impossible for them to come down there, in a compact and united body, to support the Minister merely on a tax on income with regard to which there was not much difference of opinion in England. There was great injustice in this tax, which the great majority of the Irish Members had assisted to impose on them, though they did not feel the annoyance themselves. He entirely condemned any feeling tending towards retaliation; but he thought that, in that respect at least, the House was placed in a difficult position. He thought that if any of their constituencies were to say to them, "We have heard that a large body of Irish Members came down to assist the Minister in the imposition of a tax upon us, and our only possible chance now of discontinuing this impost or making it now good, is to make it the interest of those Gentlemen to get rid of the injustice by imposing it upon themselves;"—as Ireland was exempted from the operation of the tax, he confessed that if such an appeal were made to him by his constituency, he could not resist it; and it would not appear to him as a matter of retaliation, but of self-defence. The Irish Members did not upon this question remain inactive at a distance, as many of them had done on other questions during the present Session (he did not say that as a reproach to them); but when the tax was proposed, they all swarmed together in the House a compact and united body. [An Hon. MEMBER: Not all united.] Not altogether united, for he believed that seven of their number had voted against the tax, whilst sixty-three of them voted for it. He did not wish to see it imposed on them as a retaliation for that, but merely as a matter of self-defence; and in order to obtain justice for themselves, they must cry out first for justice to Ireland. He thought that they ought not to be allowed to continue an impost by the support of Gentlemen who were themselves exempted from its operation. He confessed that he thought the present time afforded an admirable opportunity of carrying into effect the principle of taxation broached the other night by the right hon. Member for the University of Cambridge. When the House was discussing the question of the income-tax with its inequality and injustice, the right hon. Gentleman broached the theory that all taxation of any kind was unjust, and that the manner of remedying one injustice was to balance it by another, so that, according to the theory of the right hon. Gentleman, if they had an immense injustice pressing on the people of England, the best way of remedying that injustice would be to impose a similar one on the people of Ireland. According to the right hon. Gentleman, the system of taxation being altogether one of injustice, which was relieved by further acts of injustice, it was clear that the greater the extent of injustice the more perfect the system became, and the taxation would be most equally balanced when injustice was most fully extended. The present occasion was most admirably adapted for carrying that principle into effect, and the example would have a much more salutary effect than the precept. He did own that there were some grounds on which he regretted extremely the vote he was about to give. He knew well the difficulties which the Government of Ireland imposed not only on the Ministers of the Crown, but also on that particular part of the Government which might be said to be resident in Ireland. He knew the admirable manner in which the present Lord Lieutenant of Ireland fulfilled the duties of his painful position. He knew that his Government was as moderate and conciliatory as it was firm, and it was gaining popularity as much by its wisdom as its conciliation. He knew the advantage taken of every vote given in Parliament, and every speech made in Parliament by certain disaffected parties, who endeavoured to arouse the hostility of the Irish people, by telling them that the Government of England showed a determination to oppress and injure them. He knew that if they succeeded in extending this tax to Ireland, it would very much increase the difficulties of the Irish Government. The difficulty which presented itself to him was, that the system of tranquillity preserved in Ireland was, to a certain extent, dependent on an individual, and that it was so far superficial as to give merely present tranquillity instead of a permanent peace. It was on the administration of the Government of the day that this advantage depended, and not on such a system of permanent legislation as would ensure the uninterrupted maintenance of tranquillity. But he must also say, that in giving this vote he gave it not upon the principle of the income-tax, but upon a point which he considered to be purely one of detail. In doing so he did not think he was taking a part of which the Government had the right to take the view which the noble Lord at the head of the Government had propounded the other night. In that clear and manly speech which the noble Lord had made on Monday night, in which he carried with him the feelings and sympathies of the House, he did put a construction upon the votes of the minority which he, as one of that minority, did not feel had been rightly applied. If their vote had been on the principle of the tax, upon the question of allowing the Government to impose that tax; and if, when it was felt that the finances of the country required that aid; if they had, under such circumstances, voted against the Government, then, he admitted, that would have been a hostile vote, amounting to a declaration of want of confidence in the Government, and the noble Lord would have been right in the view he took. But on a question of detail as to whether the great inequality of the tax could be remedied, and on the consideration of whether the tax should be continued for one or for three years, he felt that, it being entirely a question of detail, it was one upon which he might vote, as any other Member would vote on a question before the House, without its being imputed to him that he and his friends were hostile to the Government, which he and others were far from feeling. So far from any such feeling influencing his vote on that occasion, he agreed with what had been said by an hon. Gentleman in that discussion—that the time had arrived which required on the part of every man the exercise of great forbearance, for if they looked at home they found our finances deranged with a deficient Exchequer and an increasing expenditure, our commerce depressed, the cost of our armaments increased since 1835 by 7,000,000*l.* or 8,000,000*l.*, our Army increased by 60,000 men, our general expenditure and burdens increased to such an extent as to require to be defrayed by the imposition of a war tax. If we looked abroad, we saw one country, the nearest to us, in a state of disturbance; those disturbances were gradually spreading, and the prospect was darkening rather than brightening. He did not agree with the hon. Baronet, who seemed to think that the late events might prove dangerous to this country, because for his own part he believed that for many years there had never been a period when our relations with France were so little likely to be disturbed. He believed that, so far from danger being apprehended from the spread of French principles, we were in this country more safe from them. He believed that we had two safeguards—first, in the feelings of the masses themselves, who had more freedom, with a better Government, than was to be found in any other country in Europe—the expression of opinion was more free. Another safeguard was, that in France there were the perpetual divisions of property, always creating a popular democracy, which was deprived of that high conservative character which distinguished the system of England. Still, he admitted, that we had great difficulties to meet. He admitted they ought to do their utmost to make the Government as strong as possible; but the time had come when the Government should well consider the relation between the governing and the governed body. The people should be led to the conviction that in respect to everything relating to the impost of additional burdens, every measure was brought forward in a well-considered spirit, and would not lightly be withdrawn. He agreed with the hon. Member for Westbury, that not only were the people at one time ready to submit to the income-tax for three years, but he believed at the commencement of the Parliament, this Session, there were few Gentlemen who did not believe it would be increased to 5 per cent. There were few who were not prepared for that increase.

Colonel MURE said: The opinion which I have long entertained, and which has frequently been advocated by very eminent authorities in this House, is, that the only effectual basis of real or permanent amelioration in the condition of Ireland, must be to place that country, in all practical and essential respects, both as to constitutional privileges and constitutional liabilities on an equal footing with the other portions of the kingdom to which it is united. In respect to constitutional privileges, I am not aware that there now remains any substantial ground of complaint to the people of Ireland; or, if there be, I shall always, in my humble capacity, be most ready to contribute to its removal. But in regard to financial liabilities, I feel sure that there exists in the exemptions adverted to in the Motion of the hon. Member for Marylebone, a very serious cause of complaint to the people of England and Scotland, and one, moreover, at least as detrimental to the real interests of Ireland herself as of the rest of the empire. I believe that all such exemptions, accorded to one portion of a nation, from the ordinary burdens to which the remainder of the nation is subjected, are as injurious to those who appear to be favoured, as to those on whom the additional charge of taxation is thrown. On the one hand, a sense of the injustice committed tends to create a feeling of sourness and ill-will incompatible with that national unity which must always be indispensable to national prosperity; on the other, the boon itself, however specious in appearance, produces in the long run little other effect than that of fostering and encouraging the spirit of indolence and improvidence, which has long proved a main obstacle to the welfare and improvement of Ireland. Had Ireland, from the first period of her union with Great Britain, been taxed as England and Scotland are taxed, Irishmen would have exerted themselves with the same industry and enterprise as Englishmen and Scotchmen, to provide the means of payment. And had she, under such circumstances, been visited by any great calamity, such as that which recently afflicted her—and had a proposal been made by the Government to relieve her for a time of a portion of those burdens which pressed most severely on her population, there can be little doubt but that such a proposal would have been both readily and graciously responded to by Parliament. But the reverse has lately been the case. The additional prominence which has been given, through the medium of that very calamity, to this most unpopular privilege, has had the effect of holding it up to the public view in a still more odious light than that in which it has hitherto been contemplated; and although it did not dry up the sources of public charity, has most effectually chilled the hand by which it was bestowed. And I can speak from my own experience, as can probably other Members who have had opportunity of sounding the feelings of a numerous constituency on this subject, that this grievance has proved—and unless a remedy be provided will continue to prove—an insuperable bar, not only to the spread of all genuine sympathy on the part of the British public with the distresses of Ireland, but to all cordial co-operation in the means for their alleviating or removing them. But it has been said, that the resources of Ireland are completely dried up by the late agricultural crisis—that the proprietors of that country have not the means of paying the tax, even if imposed—and that it would therefore be as impolitic as ungenerous to select this particular juncture for its imposition. There are, however, several considerations which indispose me to admit this plea of inability to pay in consequence of the late potato famine. I would beg to remind the House, that that calamity was not confined to Ireland, but spread also over a great part of the Highlands and northern districts of Scotland. I, at least, as a Scotch Member of this House, cannot forget that the population of those districts were subjected to quite as severe a share of the common affliction as any part of Ireland. I cannot forget that numbers of public spirited proprietors in those districts were reduced to the verge of ruin, or even to actual ruin, by their patriotic efforts to administer to the necessities of their suffering fellow-citizens. I cannot forget, that while no portion of the subsidies so lavishly voted by this House for the relief of the famine found its way to Scotland, no Motion was ever made for a remission of the income-tax to the suffering proprietors of that country. In the midst of their distress, they were taxed to the full amount of their unpaid rentals for their share in the relief which was sent to their untaxed neighbours on the other side of the Channel. Their assessment was not only levied, but paid; and if they were able to pay during the very acme and climax of their misfortune, how can the excuse of inability be admitted in favour of Ireland, now that the pressure of the distress has subsided? But besides, there seems to be some misapprehension as to the meaning of the term Irish property. People seem to think that Irish property consists merely of a certain number of distressed landed estates, ill-managed and mortgaged to the last shilling. It seems to be forgotten, that Ireland contains not only various rich and thriving manufacturing and commercial towns, but a splendid capital, full of wealthy fundholders, bankers, merchants, and public functionaries, drawing large salaries out of the public treasury of the empire. What possible reason can be assigned why these persons should not be subjected to the same charges as the same classes in this country? Although, therefore, I should upon the whole have preferred that the Motion of the hon. Member for Marylebone should have been so worded as to take effect after the lapse of another year's interval, yet, in a division upon the present question, were I to vote for exempting either the landed proprietors of Ireland, or the wealthy citizens of Dublin and Belfast, from those obligations which have been so rigorously enforced in the case of my own immediate fellow-citizens, under such painful circumstances, I should consider myself guilty of an act of treachery, both towards those fellow-citizens, and to the principles of justice and sound financial policy.

MR. E. B. ROCHE had heard, with considerable regret, the speech of the hon. Member for Cockermouth, who complained of a certain number of Irish Members who had voted for imposing upon the people of England this unjust, unfair, and iniquitous tax. It was not for him to express an opinion upon the conduct of the Irish Members, because he had differed from them, and voted with the hon. Member for Cockermouth. But, if it was unjust and unfair in those Gentlemen to impose this tax upon the people of England, let him ask his hon. Friend if it would not be much more unjust and unfair in him now to turn round and vote for imposing upon the people of Ireland that tax which he admitted to be unjust when imposed on the people of England? His hon. Friend the Member for Cockermouth, as well as the hon. Baronet the Member for Essex, had been very smart in commenting upon the conduct of certain parties in Ireland; but let him tell them that, no matter how eloquently Mr. Mitchell might write, and Mr. Dillon might speak, they might depend upon it that such acts as they and the hon. Member for Marylebone were about to perform that night would cause more disaffection and lasting discontent than all the writings or the speeches of Young Ireland. If this tax was unjust towards England, it was doubly unjust towards Ireland. By the articles of Union it was laid down that Ireland should be taxed only in fair proportion to England; whereas now, in point of fact, Ireland paid more than its fair proportion of taxation. The hon. Member for Marylebone, in pointing out the parties who ought to be called upon to pay this tax in Ireland, had spoken of cotter agents. Now, with all his knowledge of Ireland, he confessed he had never heard this term before; but he supposed the hon. Member meant process servers. But could the hon. Member suppose that these men were paid 150*l.* a year? Why, he would venture to say that 20*l.* a year was the highest salary any of them received. Then the hon. Baronet the Member for Essex had talked of the Treaty of Limerick and the Treaty of Union as if they meant the same thing. That was a specimen of English knowledge and English legislation with regard to Ireland. He wished to say a word or two upon the subject of the Irish Government, because the noble Lord at the head of the Government, in his speech the other night, misrepresented—he was sure unintentionally—what he had said previously. The noble Lord had said that he (Mr. Roche) accused the Irish Government of gagging the press. He never said anything of the kind, for he too well knew the fact was quite the contrary. Ho admitted that he spoke under feelings of strong excitement; but what he meant to say was, that he understood from the public prints that the Irish Government was about to take measures for the suppression of public opinion, and he wished to express his disapprobation of that course as both unwise and imprudent. He was happy to say, that up to this time he never had any reason to find fault with the conduct of Lord Clarendon in Ireland. He had occasion once before to speak in terms of praise of the noble Lord, and he would still do so; but at the same time he must deplore what he thought was a change of policy in the Irish Government—a disposition to resort to and depend upon physical force, and not upon public opinion—for his deliberate opinion was, that the Government which did that would not be based upon a safe or sure foundation. But while he deplored this on the one hand, he equally deplored the strong and exciting language which had been used in Ireland on the other. The noble Lord at the head of the Government had maintained that no country could be in a flourishing condition which did not contain free institutions. Now, would any man say that Ireland enjoyed the same extent of free institutions that England did? Look at their corporation reform—what a miserable instalment it was! Look at the county of Cork, which he had the honour to represent, with a population of 800,000, and only 3,000 voters. When, therefore, the hon. Baronet the Member for Essex called upon them to shut up Conciliation Hall, he would say, for one, that he was ready to join with the hon. Baronet in pacifying the country, and in turning attention to the development of the industrial resources of Ireland; but then it must be upon one condition—they must be prepared to grant to the people of Ireland a full and free representation—they must concede to them a direct control over their own funds, and their own taxation—or, in other words, to use the words of the hon. Member for Cockermouth — "English Members must be prepared to do to Ireland as they would wish others to do to them."

Mr. BANKES admitted, that the hon. Member who had just spoken was in a different position from that of most of the other Irish Members; and if all the others had acted as he had done, there would have been a greater difficulty on his mind as to the course which he ought to pursue. He might then have been prepared to say, with the right hon. the Chancellor of the Exchequer, that, taking into account the present circumstances of Ireland, it would not be expedient to impose this tax for the present year. But as the majority in the division of the other evening was largely composed of Irish Members, and, as the tax was now likely to be permanent, or at least certainly for the next three years, they were compelled now to decide the question, one way or the other, shall this tax, or shall it not, be chargeable over the whole British empire? It might have been reasonably supposed, from what was stated by the noble Lord at the head of the Government, and the right hon. Gentleman the Chancellor of the Exchequer, in reference to the finding of a substitute for the annual vote on the sugar duties, that the proposal to vote the income-tax for one year might have been accepted. The noble Lord, upon being asked what annual tax he proposed to substitute in lieu of the sugar duties, said—

> "I do not propose to vary in any respect the constitutional practice of having a large and considerable amount of yearly income subject to an annual vote, and I shall, therefore, propose some other source of revenue, which I shall state before the resolutions are formed into a Bill."

Looking at that declaration, he thought he had a right to entertain a feeling of surprise, and right to express it, at hearing the other night the noble Lord declare that he would stake his continuance in office (involving, perhaps, the safety of the country) if he did not carry the income-tax, not as an income-tax, but as one for three years, nay, probably as a permanent tax. The right hon. Gentleman the Chancellor of the Exchequer was equally implicated with the noble Lord. When speaking of the sugar duties, he said—

> "I take the opportunity of answering a question put to me early in the Session, as to whether I intend to propose an annual tax in lieu of the sugar duties. Hon. Gentlemen will recollect that we have now a duty which must be renewed next year, namely, the income-tax, and therefore that will confer the full advantage of an annual duty, and it is not my intention to propose to substitute, at present, any annual tax in lieu of the sugar duties."

And why did the hon. Gentleman adopt that course? For this reason, that the income-tax would require to be renewed in a year, thus giving all the advantage which was understood to arise from voting an annual tax. Well, that period has come round, and a proposal has been made to vote the tax for a year; but the noble Lord at the head of the Government, and the right hon. Gentleman the Chancellor of the Exchequer, declare, that if the proposal be carried, they will resign their offices. That was the position in which matters stood—a position inconvenient to the country, inconvenient to the House, and, above all, inconvenient to the hon. Members for Ireland, as giving rise to the present question. He could assure the hon. Gentleman who represented the large constituency of the county of Cork, that he and those who coincided with him in opinion, were as much the friends of Ireland as he himself was, and regretted as much as he could the necessity which existed for raising the question. It was no fault of theirs. The permanency of the income-tax was freely spoken of. In fact, it followed as a necessary consequence from the declarations of the right hon. Gentleman the Member for Tamworth. What did that right hon. Gentleman say? Something to this effect—"Until my system of taxation succeed, which is the free-trade system—it may succeed sooner or later—but until it does succeed, we must go on with this system of taxation, and you must bide your time for deliverance from it." For his part, he was not willing to bide his time, for he had not confidence in the free-trade system. The hon. Member for Montrose did not seem to be full of confidence himself; for, instead of biding his time in patience and in hope, he moved that the tax should only be renewed for a year, and he was happy to vote with him. He could assure the House that that vote was mainly given with reference to Ireland, for he knew that the present question must inevitably arise from the proposal which Ministers had made in reference to the renewal of the tax. The question had been forced upon the House by the Government, and the conclusion at which he had arrived was to vote for the proposition of the hon. Baronet. He felt that the tax was of such a kind that it could not with justice be placed upon England and Scotland while Ireland was exempted.

COLONEL DUNNE, in reference to what had been said about the inconsistency of the Irish Members voting for the continuance of the income-tax as regarded England and Scotland, while they opposed its extension to Ireland, begged to say that he did not regard himself as an Irish Member merely, but as a Member of the Imperial Parliament. He did not consider it to be his duty to consult the wishes of the majority of the English Members, but to decide for himself. The hon. and gallant Member then proceeded to adduce instances to show that English Members did not, on all occasions, consult the wishes of Irish Members, when called upon to deal with Irish questions. He dwelt particularly upon the hostile spirit displayed in connexion with the passing of the poor-law, and the recent resistance to the proposal which was made for a Committee to inquire into the working of that law. It was impossible that Ireland could support now, or for a long time to come, the burden of the income-tax. But there were other reasons besides inability which gave Ireland a good claim to exemption. The corn law was repealed mainly with the view of conferring a benefit upon the manufacturing interests of England. He did not pass any opinion as to whether that hope was likely to be realised; but he knew that that repeal had caused a balance of loss of three millions to Ireland, and that, he thought, ought to be taken as an equivalent for the income-tax. Mr. O'Connell and the great majority of the Irish Members assisted in bringing about free trade in corn, not because the change was likely to benefit Ireland, but because it was understood to be for the benefit of England. The hon. and gallant Member adduced a number of figures to show that Ireland derived comparatively little benefit from the great items of expenditure incurred in maintaining the colonies, paying for the wars undertaken to protect and promote English commerce, &c., and concluded by remarking that he denied the right of English Members to get up in their places and say that Irish Members had inflicted an injury upon their country because they had voted honestly.

MR. NEWDEGATE, who spoke amidst interruption, was understood to say that trade was prosperous in 1845, but it was the reverse in 1848. On all occasions where the interests of Ireland were involved, he had voted with the sincere desire of promoting those interests. With this view he had opposed the repeal of the corn law, believing that Ireland derived benefit from its existence; and he was not prepared to continue to press for the payment of the advances which had been made if an easier adjustment could be effected. The right hon. Gentleman the Chancellor of the Exchequer, when speaking of the cruelty which would be inflicted upon Ireland by the extension of the income-tax, ought to have recollected that he was demanding payment of the advances which had been made to aid that country in the hour of her distress. His own opinion was that, if the income-tax was taken in lieu of the payment of the advances, great relief would be the consequence, because the burden would not fall exclusively upon land, but would extend over all other interests. The necessities of Ireland had thrown her upon the resources of the empire; but he thought it would be for her benefit to submit to a tax which would fall upon the classes best able to pay, than to exact money from the weakest, the poorest, the most distressed, and, he must say, the most miserable classes in Ireland. The hon. and gallant Member (Col. Dunne) had spoken of free trade having been adopted for the benefit of the manufacturing interests of England; but what had been the result? He stood there as the representative of an interest which had suffered from the operation of free trade; and he begged to tell the hon. and gallant Member that if the Irish people had been under the necessity of living on charity, the population of Coventry had been equally dependent on charity for the means of preserving life. He had voted for the imposition of the income-tax for three years on the people of that town; and such being the case, he would not hesitate to vote for the extension of the same tax to Ireland.

Mr. **WAKLEY** next rose to address the House, but was for some time unable to proceed from the impatience of hon. Members who were anxious to go to a division. In 1845, the hon. Member said, he voted against the proposition to impose an income-tax upon Ireland, but in 1848 he was prepared to vote for it, and he would state to the House why. They were placed in a very different position now than what they were in in 1845. At that period it was determined that it should only be a temporary tax; but now they heard from the chiefs of all parties that it was to be a permanent tax. Now, he could not go before his constituents as an honest representative and say to them that he thought it was just that they should be taxed for the purpose of relieving the landed property of Ireland. The gallant Colonel (Colonel Conolly) said in 1845—

> "He would state the grounds on which he approved the continuance of the income-tax—not for Ireland, but for England. The income-tax had the effect of greatly improving public credit, and the consequence was, that not only had the nation been relieved from the payment of a large amount of interest on the public debt, but the general rate of interest had been greatly reduced. He felt himself particularly called on to state that great benefit had been conferred on the country whence he came by that tax, for the effect had been greatly to relieve the distressed landed interest. Numbers of landed proprietors in Ireland had been enabled to relieve their estates."

No doubt of it. Why should a man who had 1,000*l.* a year in England pay the tax, and a man who had the same income in Ireland be exempted? Why should a poor widow having 150*l.* in England be liable, and a man having 10,000*l.* in Ireland not be taxed at all? The tradesman who had the greatest difficulty in paying his way, the professional man who could not dispose of a life-interest in his income, had in England to pay the tax which did not touch the landed proprietor in Ireland. They must endeavour to fasten it on Ireland, that the Irish Members might make common cause with them against its permanent imposition. The hon. Baronet the Member for Waterford (Sir H. W. Barron), voted with the majority for fastening the blister upon them; he would apply it to the hon. Baronet, who, he hoped, would smart under the application. It was unjust to subject the industrious people of this country to a tax of which it could be said that it had "greatly relieved the landed interest of Ireland." The Chancellor of the Exchequer, in 1845, said, also—

> "He remembered that the right hon. Gentleman stated that it was a tax only to be imposed in time of war or great necessity; and, if imposed, it would be unjust if not imposed on Ireland as well as England. He had never been able to discover any reason why an Irish gentleman of 5,000*l.* a year should not pay this tax as well as an English gentleman with 5,000*l.* a year."

And then the right hon. Gentleman went on—

> "The rich Irish were exempt from the assessed taxes. If there be any one country in the world in which it is desirable that taxes imposed should rest exclusively on the rich, and not on the poor, it was in Ireland."

As the tax was to be permanent, and there was no chance of getting rid of it without the aid of the Irish Members, he felt bound, in discharge of his duty to his constituents and the country, to give his vote for the Motion of the hon. Baronet the Member for Marylebone. The people of England would be most indignant at the conduct of hon. Members if they imposed a tax on industrious people here while they exempted idle people in Ireland. Hon. Gentlemen might talk of poor-rates in Ireland amounting to 2*s.* or 2*s.* 6*d.* in the pound. Were they aware that in England there were parishes where the rates were 10*s.* in the pound? He had a letter from a gentleman residing at Honiton, in Devonshire, which stated that he paid 68*l.* of direct taxes, and his rates were 6*s.* in the pound. He sincerely hoped the Motion would be carried, notwithstanding the feeling evinced by hon. Members from the sister kingdom.

Colonel **CONOLLY** observed, that allusion had been made to a speech of his in 1845. But the hon. Gentleman had chosen to stop where he pleased, in the middle of the speech, so that the meaning was perverted.

The **CHANCELLOR of the EXCHEQUER** must say a few words. What he had said was not precisely what the hon. Gentleman had imputed to him. The hon. Gentleman had given the House a lecture on the organ of justice. He had to make the same remark as the hon. Gentleman opposite, that the hon. Member for Finsbury had stopped where he chose and where it suited his purpose, omitting a portion of what had been said, and so conveying an impression opposite to that which he intended to convey. He was arguing against the position of the right hon. Gentleman then Member for Newark, and the right hon. Gentleman the Member for Tamworth, that the tax was one pressing exclusively on the rich, and not on the poor; and his statement was, that it seemed inconsistent with that position to impose the tax upon England and exempt Ireland, because, if there was a country where taxes should rest entirely on the rich, it was Ireland. He urged that the conduct of the right hon. Gentleman in exempting Ireland was not very consistent. That such was a correct representation of the circumstances would appear from the fact that, when the Motion was proposed for imposing the tax on Ireland, he voted against it.

Mr. MONSELL wished to say a very few words, in the hope of showing that the arguments in favour of the non-imposition of this tax upon Ireland at this moment were not unjust. When the tax was imposed upon England in 1842 and 1845, certain boons were simultaneously conferred upon her productive industry, as was stated by the right hon. Baronet who introduced the tax; and the proofs that were given at the time that those boons were far more to the advantage of England than of Ireland, and that therefore the income-tax could not then be fairly placed upon Ireland, were stronger now than they were then. The hon. Gentleman illustrated this by a reference to the comparative duties on auctions, glass, and cottons; and, in reference to the repeal of the corn laws, observed, that England, being an importing country, necessarily derived greater benefits from their repeal than Ireland could, which was an exporting country. Ireland, too, in comparison with England, derived but very little advantage from the expenditure, in wages and so forth, under the naval and ordnance establishments. But there was one point which, he thought, had not been referred to, in connexion with this subject, viz., the probable amount that an income-tax would produce in Ireland—for he felt that if the House were to deal unjustly with Ireland in this matter, it would be doing very great injury to the interests of that part of the United Kingdom. Taking into account the great number of incomes in Ireland below 150*l.*, and considering, into the bargain, the severe distress that weighed upon that country, it could not be calculated that the gross amount of the produce of an income-tax in Ireland would exceed 350,000*l.* a year; a very great portion of which, too, would be spent in the collection of the impost. In conclusion, he would only observe that he sincerely believed that it was for the interest of England to raise the condition of the people of Ireland, and in not pressing upon her a tax of this description. He should, therefore, vote in opposition to the Motion of the hon. Baronet.

Mr. HUME said, that whereas it had been the object of the hon. Gentleman who had just sat down to show that Ireland had derived no benefit from the remission of the duties to which he had referred, yet what he had said went to show that she had had her proportionate advantage from such remission. Ireland, too, had made no more sacrifices than had the people of Scotland; it would be injustice of the worst description if one portion of the people of the empire were to be saddled with a tax in order to relieve the other from it. They ought to make the Irish pay all the taxes which they made England and Scotland pay, and then they would have a still stronger claim, with equal taxation, for an equal share of the privileges they asked for.

Mr. REYNOLDS rose and said, that, as the hon. Member for Montrose had claimed the privilege of speaking for Scotland, he claimed the privilege of saying a few words for Ireland. He had listened to all the speeches on the other side of the question, and he confessed that he had heard no argument in favour of the extension of an income-tax to Ireland, except that which was founded on the principle of uniformity. But he was surprised that a constitutional Member like the hon. Gentleman the Member for Montrose, should say, "we cannot give you equality of rights, unless you will take at the same time equality of taxation." That, he must say, was a new doctrine in that House. When the right hon. Baronet the Member for Tamworth first introduced the income-tax, he said that he exempted Ireland from its provisions because of her inability to pay it. That was his opinion in 1842; was it his opinion still? He wanted to ascertain whether Ireland had increased in prosperity since 1842? But Ireland was not quite so exempt from the payment of this tax as some imagined; for when the tax was imposed upon England, they had put an ingredient into the measure by means of which they increased the stamp duties in Ireland to 600,000*l*. They had, therefore, placed an income-tax on Ireland to that extent, to say nothing of the great amount in the shape of rents and mortgages that came from Ireland into this country, as well as of income-tax that was paid by Irish proprietors resident in England. But he wanted to know, after all, what there was that they had to tax in Ireland? If the fundholders, all he could say was that that money was held in such minute quantities that they could not get much in the shape of taxation out of that. But why not tax her commerce? She had none. Why not tax her manufactures? The answer was the same—she had none. The hon. Member for Montrose was a living monument of figures; but he defied him, nevertheless, to find any available property to tax in Ireland. Then they were told that the Irish had a right to be taxed; and so they were indirectly in the same degree as the English. The Irish people consumed 12,000,000*l*. of English manufactures per annum. Who set the English looms and mines, and other branches of industrial employment, in motion but the Irish? Then, again, it was said that the Irish ought to be taxed, because they were an integral part of the British nation; but they were only so by name. The theory was excellent, but the practice most inharmonious; and, even up to this day, if the word "colony" were applied to Ireland it would be more applicable. Indeed, he would prefer her being a colony, than that she should be treated as she now was, under the pretence of her being an integral part of the British empire. Then, again, the hon. Member for Essex had charged it upon the Irish Members as a crime that they were unanimous on this question. He (Mr. Reynolds) could assure the hon. Baronet that their unanimity was almost perfect, and that the House would probably have more specimens of it before long. It was said in Ireland that misfortune made a man acquainted with strange bedfellows; but their misfortunes also taught them to forgive and to forget, and to combine for the good of their own country. But while they did that, he trusted that they would never combine to achieve a detriment to England, or to any other part of the empire. Out of the whole 105 Irish Members, there were few indeed that he felt he could not answer for on this point; and he therefore believed sincerely that the hon. Baronet had nothing to fear from this combination. But he had been asked why he voted the other evening for the extension of the tax to three years? and he would answer that question by putting another, "Why did 280 of the representatives of England set us the example?" That example was set; and the Irish Members followed it, upon the principle of man being an imitative animal. Besides that, he was in favour of direct taxation, in order to lighten the indirect burdens which pressed upon his poor countrymen, and to cheapen their tea, their sugar, their soap, and other articles of prime necessity. In conclusion, he expressed a belief that in giving his vote on the former occasion, and in giving the one he was about to give, he was acting in perfect consistency.

Mr. MUNTZ said, that no one had been more liberal in his sentiments towards Ireland than he had. In a court of law, the man who knew nothing of the matter in dispute was, of course, not heard; and the Irish Members in the recent division were the very last persons who should have ventured to vote. He would not have approved of extending the income-tax to Ireland, had such a proposal been made in the first instance; but, after the course taken by the Gentlemen from the other side of the water, he felt that he could not do otherwise than support the Motion of the hon. Baronet the Member for Marylebone.

Sir A. BROOKE rose only to rebut the charge which had been brought against the Irish Members by the hon. Member for Birmingham (Mr. Muntz), of having combined with the Government to throw on England a tax in which they were themselves in no way concerned. Now, he (Sir A. Brooke) had been a Member of the House when the income-tax was originally proposed by the right hon. Baronet the Member for Tamworth, and he had then abstained from voting. He had taken the same course on each occasion when the subject was brought forward; and he should not have voted on Monday evening but for the observations of the hon. Member for Birmingham, and the threat, as it might be termed, of the hon. Baronet the Member for Marylebone. It appeared to him to be a most unjustifiable, as it was a most unconstitutional, doctrine, to declare that Irish Members were not entitled to vote freely on English questions. This, in point of fact, was the strongest possible argument that English Members could assert in favour of the repeal of the Union. He had not voted in the majority, because he was anxious that Her Majesty's Government should remain where they were, though he believed it would be difficult to find a better Administration at present; but on the division that night had depended the continuance of the present Lord Lieutenant for Ireland in that office; and such was his opinion of the eminent services of Lord Clarendon, if the alternative were to be chosen, he would prefer submitting to a 3 or even a 5 per cent income-tax for Ireland rather than that the country should lose the ability and energy with which it was now governed. He would leave it to the good sense of English Gentlemen to reject the Motion of the hon. Baronet, and to refuse, at such a moment, to burden Ireland with fresh taxation.

MR. MUNTZ explained: He had not meant to say that Irish Members were not entitled to vote on English questions; only that they ought not to have voted on this particular question.

The Committee divided:—Ayes 138; Noes 218: Majority 80.

List of the AYES.

Adair, H. E.
Adderley, C. B.
Aglionby, H. A.
Alcock, T.
Arkwright, G.
Bagge, W.
Bankes, G.
Barkly, H.
Benett, J.
Bennet, P.
Bentinck, Lord G.
Beresford, W.
Birch, Sir T. B.
Boldero, H. G.
Bouverie, hon. E. P.
Bowring, Dr.
Bramston, T. W.
Bright, J.
Brisco, M.
Brooke, Lord
Brotherton, J.
Bruce, Lord E.
Buck, L. W.
Bulkeley, Sir R. B. W.
Busfeild, W.
Carew, W. H. P.
Cholmeley, Sir M.
Christy, S.
Clay, J.
Clay, Sir W.
Cobbold, J. C.
Codrington, Sir W.
Coke, hon. E. K.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Copeland, Ald.
Cowan, C.
Crawford, W. S.
Deedes, W.
Deering, J.
Denison, W. J.
D'Eyncourt, rt. hn. C. T.
Disraeli, B.
Douglas, Sir C. E.
Drummond, H. H.
Duff, G. S.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncombe, hon. O.
Duncuft, J.
Dundas, G.
East, Sir J. B.
Fergus, J.
Floyer, J.
Forster, M.
Fox, W. J.
Fuller, A. E.
Gardner, R.
Gaskell, J. M.
Glyn, G. C.
Gordon, Adm.
Greenall, G.
Grenfell, C. P.
Grenfell, C. W.
Hastie, A.
Heald, J.
Henley, J. W.
Hervey, Lord A.
Hildyard, T. B. T.
Hollond, R.
Hope, Sir J.
Hornby, J.
Horsman, E.
Houldsworth, T.
Hudson, G.
Hume, J.
Humphery, Ald.
Kershaw, J.
Knox, Col.
Langston, J. H.
Law, hon. C. E.
Lockhart, A. E.
Lowther, H.
Lushington, C.
Mackenzie, W. F.
M'Gregor, J.
Masterman, J.
Matheson, A.
Matheson, Col.
Mitchell, T. A.
Moffatt, G.
Morris, D.
Mowatt, F.
Muntz, G. F.
Mure, Col.
Newdegate, C. N.
Pattison, J.
Pearson, C.
Pechell, Capt.
Peel, Col.
Pigot, Sir R.
Pilkington, J.
Pinney, W.
Powell, Col.
Renton, J. C.
Ricardo, O.
Rice, E. R.
Robinson, G. R.
Salwey, Col.
Sandars, G.
Scholefield, W.
Sibthorp, Col.
Sidney, Ald.
Smith, rt. hon. R. V.
Smith, J. B.
Smollett, A.
Spooner, R.
Stansfield, W. R. C.
Strickland, Sir G.
Stuart, Lord D.
Stuart, H.
Stuart, J.
Sturt, H. G.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, J.
Trelawny, J. S.
Vivian, J. E.
Vyse, R. H. R. H.
Waddington, D.
Wakley, T.
Wawn, J. T.
Williams, J.
Wilson, J.
Yorke, hon. E. T.

TELLERS.

Hall, Sir B.
Tyrell, Sir J. T.

List of the NOES.

Abdy, T. N.
Adair, R. A. S.
Adare, Visct.
Alexander, N.
Anson, Visct.
Anstey, T. C.
Archdall, Capt. M.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Ashley, Lord
Bagshaw, J.
Baillie, H. J.
Baring, rt. hon. F. T.
Baring, T.
Barnard, E. G.
Barron, Sir H. W.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Blackall, S. W.
Blake, M. J.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Brockman, E. D.
Brooke, Sir A. B.
Browne, R. D.
Bruce, C. L. C.
Buller, Sir J. Y.
Buller, C.
Bunbury, W. M.
Bunbury, E. H.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cocks, T. S.
Cole, hon. H. A.
Conolly, Col.
Corbally, M. E.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Damer, hon. Col.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Denison, J. E.
Devereux, J. T.
Dod, J. W.
Drumlanrig, Visct.
Drummond, H.
Duckworth, Sir J. T. B.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Edwards, H.
Elliot, hon. J. E.
Emlyn, Visct.
Evans, W.
Fagan, W.
Fagan, J.
Ferguson, Sir R. A.
Ffolliott, J.
Filmer, Sir E.
FitzPatrick, rt. hon. J.
Fitzwilliam, hon. G. W.

Foley, J. H. H.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, S. W. L.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Gooch, E. S.
Gore, W. R. O.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Greene, J.
Greene, T.
Grey, rt. hon. Sir G.
Grey, R. W.
Grogan, E.
Grosvenor, Lord R.
Haggitt, F. R.
Hallyburton, Lord J. F.
Hamilton, G. A.
Hamilton, J. H.
Hamilton, Lord C.
Hardcastle, J. A.
Hay, Lord J.
Hayes, Sir E.
Hayter, W. G.
Heathcote, J.
Heneage, G. H. W.
Hodges, T. L.
Hogg, Sir J. W.
Hood, Sir A.
Howard, hon. C. W. G.
Ingestre, Visct.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, J.
Jones, Capt.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, G. C.
Lindsay, hon. Col.
Littleton, hon. E. R.
Loch, J.
Macnamara, Maj.
M'Naghten, Sir E.
M'Taggart, Sir J.
Magan, W. H.
Meagher, T.
Mahon, The O'Gorman
Maitland, T.
Manners, Lord G.
March, Earl of
Marshall, J. G.
Marshall, W.
Matheson, J.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Melgund, Visct.
Milnes, R. M.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Mulgrave, Earl of
Napier, J.
Norreys, Lord
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, J.
O'Brien, Sir L.
O'Brien, T.
O'Connell, M. J.
Ord, W.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Perfect, R.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Plowden, W. H. C.
Power, Dr.
Power, N.
Price, Sir R.
Pusey, P.
Raphael, A.
Rawdon, Col.
Repton, G. W. J.
Reynolds, J.
Robartes, T. J. A.
Roche, E. B.
Russell, F. C. H.
Rutherford, A.
Sadleir, J.
Seymer, H. K.
Seymour, Sir H.
Shafto, R. D.
Shelburne, Earl of
Shirley, E. J.
Simeon, J.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stanley, hon. E. J.
Stanton, W. H.
Staunton, Sir G. T.
Strutt, rt. hon. E.
Stuart, Lord J.
Sullivan, M.
Talbot, J. H.
Taylor, T. E.
Tenison, E. K.
Tennent, R. J.
Trevor, hon. G. R.
Turner, G. J.
Tynte, Col. C. J. K.
Urquhart, D.
Vane, Lord H.
Verner, Sir W.
Verney, Sir H.
Vesey, hon. T.
Walmsley, Sir J.
Walpole, S. H.
Ward, H. G.
Watkins, Col. L.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Whitmore, T. C.
Williamson, Sir H.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

House resumed.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Monday, March 20, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.

PUBLIC BILLS.—1^a Queen's Prison; Unnecessary Actions Prevention.

PETITIONS PRESENTED. From Members of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From Worfield, and several other Places, against the Admission of Jews into Parliament.—From London Association for the Protection of Trade, for Alteration of Law relating to the Creditors of Married Women living separate from their Husbands; for Alteration of Criminal Law, so as to relieve Prosecutors and Witnesses, from Loss of Money and Time, especially within the Jurisdiction of the Central Criminal Court; for Inquiry into the Practice of, and for Alteration of the Fees of County Courts; and also for Alteration of the Law respecting Outlawry and Writs of Execution.—From Parish Schoolmasters within the Presbytery of Islay and Jura (Scotland), complaining of the Inadequacy of their Remuneration, and praying for Relief.

MULTIPLICITY OF ACTIONS BILL.

LORD CAMPBELL said, that he had been requested by his noble and learned Friend the Lord Chief Justice to lay on the table a Bill, which he recommended to the notice of their Lordships. The object of the Bill was to do away with an inconvenience which his noble and learned Friend had experienced on several occasions, and, above all, during the present circuit. He alluded to the case of a man's wife sustaining an injury for which damages were sought to be recovered. At present to do so it was necessary to resort to two actions; namely, a joint action for the injury; and, secondly, an action by the husband for the amount of expenses incurred. By this Bill only one action would be necessary.

Bill read 1^a.

BIRTH OF A PRINCESS—ADDRESS TO HER MAJESTY.

The MARQUESS of LANSDOWNE said: My Lords, I rise to ask your Lordships to consent to a Motion of which I have not given notice, but which I am sure it was unnecessary for me to do in this assembly, because it is one which will command your Lordships' unanimous assent. I rise to propose that an Address be presented to Her Majesty expressive of the satisfaction felt by your Lordships at the recent addition to Her Majesty's family, and also at Her Majesty being safe and well under the circumstances. My Lords, at all times, when any increase of this kind has taken place in the Royal Family, it has been customary to adopt an Address, expressive of a feeling of satisfaction on the part of this House; no argument, therefore, on my part is required to induce your Lordships to adopt an Address. I believe also that there has been no moment when an expression of feeling of satisfaction and of loyalty at a matter so interesting to Her Majesty could command a more unanimous and cordial assent, or more sympathy, than at the moment when I have the honour of addressing the House. I therefore beg to propose—

"That an humble Address be presented to Her Majesty, to congratulate Her Majesty on the Birth of another Princess, and to assure Her Majesty that any Addition to Her Majesty's domestic Happiness affords the highest Satisfaction to the House of Lords."

LORD STANLEY seconded the Motion.

The Address was then read by the LORD CHANCELLOR, and agreed to *nemine dissentiente*.

House adjourned.

HOUSE OF COMMONS,

Monday, March 20, 1848.

MINUTES.] PUBLIC BILLS.—1° Property Tax; Stamp Duties Assimilation.

PETITIONS PRESENTED. By Mr. Tufnell, from Devonport, for Abolition from Arrest.—By Mr. Goring, from Chichester, for an Alteration of the Law of Bishops.—By Mr. Bright, from Manchester, for Amendment of the Bishopric of Manchester Act; and Ecclesiastical Jurisdiction Act.—By Mr. Headlam, from Newcastle-upon-Tyne, for Alteration of the Law respecting the Church of England Clergy.—By Captain Vyse, from Dallington (North Hants), against the Jewish Disabilities Bill.—By Mr. Cowan, from Members of the Scotch Church, Regent Square, London, for Better Observance of the Lord's Day.—By Sir Thomas Acland, from Tavistock (Devon), complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Napier, from Members of the Congregation of Townsend Street, Belfast, against the Roman Catholic Relief Bill.—By Mr. Law, from Rawreth (Essex), and by Mr. Strutt, from Derby, against the Roman Catholic Relief Bill, and the Diplomatic Relations with the Court of Rome Bill.—By Mr. Cowan, from Alyes (Elgin), for Abolition of University Tests (Scotland).—By several Hon. Members, from a number of Places, for Repeal of the Duty on Attorneys' Certificates.—By Sir R. Ferguson, from Burntisland, for Inquiry into the Excise Laws.—By Mr. Floyer, from Weymouth, and by Mr. Hollond, from Hastings, for Exemption of Charitable Institutions from Legacy Duties.—By Sir R. Ferguson, from Kirkaldy, for Alteration of the Law of Lighthouses.—By Mr. J. Evans, from Haverfordwest, and by Mr. Morris, from Llanelly, against a Continuance of the Property Tax.

BIRTH OF A PRINCESS—ADDRESS TO HER MAJESTY.

LORD J. RUSSELL: I rise to make a Motion which I am sure will not require any argument on my part to enforce it, for the proverbial loyalty and attachment towards the Sovereign which exists in this House and throughout the country, convince me that the House will at once acquiesce in any Motion for congratulating Her Majesty upon the occasion of an addition to Her domestic happiness by the birth of another Princess. The strict adherence to the constitution which Her Majesty has always shown in her political conduct, and the high example which She has given of domestic life, have done so much to secure for Her Majesty the personal esteem and attachment of the whole people, that it is only necessary for me to move—

"That an humble Address be presented to Her Majesty, to congratulate Her Majesty on the Birth of another Princess, and to assure Her Majesty that every addition to Her Majesty's domestic happiness affords the highest satisfaction to Her Majesty's faithful Commons."

SIR R. PEEL: Having, on some former occasions, when holding office under the Crown, proposed addresses of a similar nature to that which the noble Lord has now proposed, I have great pleasure in seconding the Address, which, as a Minister of the Crown, he has submitted to the consideration of the House. I cordially join with him, and I am sure I am but expressing the universal feeling of the House, in wishing Her Majesty a long and happy reign; in congratulating the country that the Throne of this kingdom is likely to be perpetuated in the descendants of Her Majesty; and in earnestly hoping that every blessing will attend Her Majesty, which, under Divine Providence, is due for Her uniform anxiety and zeal to promote the best interests of the people in Her political capacity; and also for the admirable example of private virtue in every relation of domestic life which has been set by Her Majesty.

Motion carried *nem con.*

Address to be presented by Members of the Privy Council.

WAYS AND MEANS—INCOME-TAX REPORT.

Report on the Income-tax brought up.

On the question that it be read a Second Time,

MR. HUME said, that after the very distinct manner in which the House had pronounced its approbation of the income-tax being continued for three years, it was not his intention to offer any further objection to it at present. He hoped, however, that he should be allowed to suggest that the Bill to be brought in to carry the resolutions into effect would be referred to a

Committee upstairs, in order, if possible, to remove the gross irregularities of its present operation. He did not make this proposal to the House with the view of throwing any impediment in the way of the measure; but he did so, because he thought it was of the utmost importance—if they were to continue a tax so objectionable in many points—that some efforts should be made to render it free from the inequalities which were at present so much and so justly complained of. It was the opinion of many persons that no difficulty would be found in making such alterations in the Bill in Committee as would meet many, at least, of those inequalities. Whether he should make the Motion when leave was asked to bring in the Bill, he did not yet know; but he should be prepared, either then or at some future stage of the Bill, to make a Motion to that effect, and submit his reasons for it, should any objection be made to it.

Sir R. H. INGLIS was desirous, also, to have some opportunity (he did not care when) of calling the attention of the House to a question to which he had already, on more than one occasion, asked their attention—namely, the expediency of begining the application of the income-tax at a given sum, and never going below it.

Mr. SLANEY said, that as one of those who had voted for the continuance of the income-tax under the present exigencies of the country, he ventured to implore the Government to give ear to the request of the hon. Member for Montrose, and try whether, after due time, and after due consideration, some plan could not be adopted—he would not say to make it exactly fair, for that might be impossible—but to improve the measure so far as to meet the wishes of the great body of Her Majesty's subjects. At the same time he spoke with great hesitation on the subject, when he remembered that those who were best acquainted with it, on both sides of the House, had stated that it would be extremely difficult to remove the present anomalies without introducing others as great in their place; but still he believed it was not impossible, and he certainly did wish to see such an improvement, or an approach to improvement made, as would content the great body of Her Majesty's subjects. He said this the more earnestly, because he believed the tax to be just on principle.

Sir DE LACY EVANS could not resist joining in the entreaties of the hon. Members for Montrose and Shrewsbury, and which were coming from all parts of the country to Her Majesty Government, that they would endeavour to devise some plan of modifying this tax, and rendering it more fair and equal in its operation. He had the honour to represent a large constituency around that House, and though he had not hitherto given any opinion on the subject in that House, he begged now to say that his constituents were perfectly willing to pay their fair share of taxes, and that though their incomes were principally derived from trade and professions, they were not opposed in principle to the income-tax; but they had the deep and strong feeling that the proprietary body in the country had in some degree intimidated Her Majesty's Government from attempting any modification of the tax.

The CHANCELLOR of the EXCHEQUER, after the observation just made by the hon. and gallant Member for Westminster, might be permitted to say a single word. He begged to say, of his own knowledge, and he was quite sure he might say the same of every other Member of Her Majesty's Government, that they been in no respect intimidated on this question. He could only add that, for his own part, he had given his best attention to the proposals for a modification of this tax, and that, however plausible it seemed at the outset, the further he had inquired into it the less able he had found himself to devise or adopt any plan which would not make the inequalities still more gross and apparent than they existed under the present mode of levying the income-tax. He assured the House that it was from no want of consideration that he had come to this conclusion. On the contrary, the further he had inquired, the more he had become convinced it was impossible to do otherwise than they had done. At the same time, he should be exceedingly sorry to preclude himself from any further consideration of the subject. He was perfectly ready to consider any plan which any Gentleman might bring forward; but certainly no plan had yet come under the consideration of Government which was not in their opinion more objectionable than the plan which had invariably existed at all times and in all countries where the income-tax had ever been imposed.

Dr. BOWRING said, that the right hon. Gentleman had not answered the question of his hon. Friend the Member for Montrose. The right hon. Gentleman had merely stated that no plan that had yet been suggested was preferable to the present state of things. There was an almost universal feeling throughout the country, however, that the measure must undergo a modification—so much so that unless a great modification were introduced, he believed it would be impossible to collect the tax without such an amount of resistance as would prove very annoying to the public functionaries. He thought the request of his hon. Friend a very reasonable one, and one which ought to be acceded to. It would indicate, at all events, a desire on the part of the Government to defer to the wishes of the great majority of the people out of doors if a Committee were appointed to inquire whether some modification could not be introduced.

MR. COBDEN had understood the right hon. Gentleman to say, with some emphasis, at the close of his first remarks, that the income-tax was levied in the same way in this country as it was in all other countries. Now, a remark was made by his hon. Friend the Member for Glasgow (Mr. Macgregor), in the course of his speech last week, which he (Mr. Cobden) believed was well founded, that in no other country in the world was there an income-tax at all. There was a heavy amount of direct taxation levied in France, and in other Continental States; but there was no instance in the civilised world in which they levied a tax upon profits. This was a fact which should be borne in mind, because the right hon. Gentleman the Chancellor of the Exchequer had said that the tax was levied in the same mode here as in other countries.

The CHANCELLOR OF THE EXCHEQUER said, that it had been stated by the hon. Gentleman (Mr. Macgregor) himself that in South Carolina, in the United States, an income-tax was levied upon the profits of trades and professions.

MR. HORSMAN understood the right hon. Gentleman to object to refer the Bill to a Committee, as proposed by the hon. Member for Montrose, because he was convinced that no plan could possibly be suggested which would not leave the inconsistencies and inequalities of the measure still more glaring than those in the plan at present in operation. Now, on this point the right hon. Gentleman was at direct issue with the public at large. He was not sure that he was not at direct issue with a majority of the House, for upon this point, as he understood, a great many Members had not as yet given any distinct vote. When he suggested his plan, the hon. Member for Liverpool (Mr. Cardwell), for instance, said that he voted rather with reference to that place than with respect to the general question as to whether a better plan could or could not be adopted. Now, the feeling on the part of the public was so general in many districts—he might say universal—that some modification of the present system might be adopted, that he really thought, even admitting that Her Majesty's Government were right, it would be but a judicious deference of opinion to grant some Committee of Inquiry. He knew, however, some high authorities, who were of opinion that a great improvement could be made in the present system; but whether this opinion was right or wrong, he still thought that, under all the circumstances, it would be expedient that an inquiry should be instituted.

MR. MACGREGOR had confined himself to the States in the West when he made the statement alluded to by the right hon. Gentleman. It was undoubtedly true that a tax upon profits existed in South Carolina for local purposes. In Frankfort, also, a power was given to the Senate to impose such a tax when the ordinary revenue did not meet the expenditure; there was a similar power in existence in the free towns of Hamburgh, Bremen, and Lubeck. He concurred with the right hon. Gentleman that the difficulty of apportioning such a tax was greater almost than could be estimated, and therefore it was that he felt very sorry that the Government had not taken the tax, or even an income-tax of 5 per cent for one year, in order that the House should have had time to go fully into the whole question of taxation. He had been anxious to press his Motion upon the notice of the House, because upon a careful analysis of the expenditure upon Ireland, he found that it, up to 1846, exceeded the revenue derived from her by 166,000,000*l.* sterling.

MR. TRELAWNY had made several attempts to explain to the House the grounds upon which he had felt it his duty to vote in favour of the Government on the question of the income-tax. Upon full consideration of the question he had arrived at the conclusion that Mr. Warburton had adopted—viz., that it was correct in principle, and that in fact it inflicted no injustice upon the owners of precarious incomes. If they were to put a tax of 100 per cent upon the incomes of lawyers or physicians, of course the weakest in those professions must go to the wall, but the tax would be paid by the consumer; in other words, the tax would be paid by the persons employing such professional men. His conduct upon the question, he was sorry to say, had not proved satisfactory to his constituents, even after he had given them the explanation of his vote which they had demanded.

Lord J. RUSSELL would not then discuss the question of sending the Woods and Forests expenditure before a Select Committee: that question would come under consideration on a future day. But when the hon. Member for Cockermouth (Mr. Horsman) said that complaints against the inequality of the tax were almost universal, and that some proposition for a modification of it, such as he had proposed, was necessary in order to allay discontent, he must say, that, although that proposition was most skilfully worded, had it been successful, and had it been adopted by the House, many of those who would have been called upon under it to pay 8*d*. in the pound would have brought cases of great inequality to that House which his hon. Friend wonld not have found it easy to answer.

Resolution agreed to. Bill founded upon it, ordered to be brought in.

SUPPLY—NAVY ESTIMATES.

House in Committee of Supply.

Mr. WARD: Although the votes in connexion with the Navy Estimates, which it is my duty to bring under the consideration of the Committee to-night, turn almost exclusively on one point, which the Select Committee on the Navy Estimates has very properly refused to investigate, because they felt that the question is one that can only be decided on considerations of general policy, with which it is the peculiar attribute of the Crown and of Parliament to deal; yet, as it is obviously impossible for me to consider the number of men to be maintained for the service of 1848-9, without raising other questions connected with the Navy Estimates, and involving a very large amount of expenditure, I hope the House will favour me with its indulgence while I endeavour—studiously separating those points on which inquiry can take place from the question of the force which it is necessary to maintain—to make some observations on the general system with which we have to deal, and on which Parliament, dealing with the subject as a whole, has to pronounce its decision. And, Sir, I could not separate these questions if I would, for my hon. Friend the Member for Montrose has told me—and I feel very grateful to him for it—that he considers the number of men to be voted for the year as the root of all the evil. My hon. Friend is perfectly right, that if we have more men we must have more ships; we must have more stores, we must have more building materials, we must have larger building establishments—just as, if we have a large steam navy, we must have steam factories to keep it in repair, and a larger civil establishment in order to superintend these additional expenses. I go with my hon. Friend entirely on this point, and I think the broad question before the House is, how we are to deal with the expenditure which has grown up within the last few years? The questions are all parts of a whole. Either we are wrong or we are right in the policy which Parliament and the country have followed for the last six years. If we are wrong, the sooner that is proved, and the country begins to reverse its steps, the better; but if we are right, then I think that I am justified in expressing a hope that this House will not begrudge the means necessary to carry out that which is declared to be necessary. On this matter I join issue with my hon. Friends behind me; and in doing so I shall put the question on the broadest possible grounds, and give them the benefit of every fact that they think may tell in their favour. Between them and me there is the widest difference. What they blame, I glory in. What they call profligate and extravagant, I am prepared to maintain is necessary and wise; and on that ground I shall call for the decision of the Committee on the question between us. When I speak of this expenditure being wise and necessary, I speak of the general policy of the country as displayed in the Navy Estimates of the last six years. But I admit also the propriety of the closest investigation of the whole subject before the Select Committee. And I will say this, that there is no man who will go into that investigation with a sincerer desire to see every error detected, and corrected in the present state of the Navy expenditure, than I shall; and I say the same of every Member of the Board of Admiralty, in whose name I now speak. I speak of the principle of our expenditure, and not of the details. No doubt, in the expenditure of past years, many mistakes have been committed. No doubt the money might occasionally have been better spent, and would have been better spent if there had been more time for making the arrangements. I have, however, to-night to deal with the general principle of the expenditure: I will show the House what has already been done—what are the fruits that that expenditure has already produced—and what are the savings that we may in future anticipate from it; and it is then for the House and for the country to pronounce on the soundness of the policy that has been pursued hitherto. If my hon. Friend the Member for Montrose can reduce the number of men to be voted to-night by 10,000 or 7,000, or whatever other number he proposes to suggest—if he can show that he can do so safely—I admit that there never was a time when a reduction of expenditure was more called for than at present, or when there was a greater desire to see it carried out by many large constituencies, including, I will add, my own. I know how great is the influence on this point possessed by my hon. Friend behind me (Mr. Cobden), with whom I have acted for many years, and for whose services and abilities I entertain the highest respect, and whose good opinion and friendship I hope to retain, notwithstanding any differences that may be found between us this evening. The question to be decided is, are we right or are we wrong in proposing to the House of Commons a vote of 1,425,380*l.*, under No. 1 of the present Estimates, to provide an establishment of 27,500 seamen, 2,000 boys, and 13,500 marines, making a total force of 43,000 in all for the financial year 1848–9? And here I would beg to remind the Committee that I have some difficulty in testing this, for there has been no division in the House on this branch of the Navy Estimates for nearly twenty years. The standard of the force to be kept up has been always varying, yet Parliament and the country have always concurred in the increase. In 1817 the naval force amounted to only 19,000 men. Without any apparent cause this number increased to 25,000 in 1823. In 1824 and 1825 it was 29,000; in 1826 it was 30,000; in 1830 it was 27,000; in 1835 it was 26,500; in 1839 it was 33,000; in 1840 it was 39,000; and in 1841 and 1842 it was 43,000. My hon. Friend (Mr. Hume) has reminded me that in one instance a division took place during the period I specified; but in no case has there been any serious opposition to the increase. I know I shall be told that there was always some cause existing to justify former increase, and that such increased votes were always followed by reductions as soon as tranquillity was restored. I find, for instance, on looking at the estimates for former years, that in 1843 and 1844 the number of men voted was 39,000, and that in 1844-5, at the close of the Chinese war, the number was reduced to 36,000. But 36,000 men was taken as the standard of a proper peace establishment by the right hon. Baronet opposite (Sir R. Peel), and by the right hon. Baronet the Member for Ripon (Sir J. Graham), and yet that number exceeded by 10,000 men the standard of 1835. But what was the consequence? Why, that the experience of a single year was found to be sufficient to prove to these right hon. Gentlemen that that number of 36,000 was not sufficient, and we accordingly find them in the next year increasing the establishment, in a time of profound peace, to 40,000. In 1846-7 the number was also 40,000. In 1847–8 we increased that number by 1,500 marines, stating, that in the opinion of Lord Minto, Lord Haddington, Lord Ellenborough, and Lord Auckland, an addition of 3,000 men to this branch of the naval establishment was indispensable; and we now propose to make a further addition of 1,500 marines to complete the number sanctioned without a division by the late Parliament. Now, I ask, how are we to account for this constant and invariable acquiescence on the part of this House in this great increase? There is no abstract love of expenditure prevailing in the country. Nobody likes being taxed to support a useless armament. No; but there is a feeling existing that all power is relative—that it is not a fixed but a fluctuating element—that a nation cannot stand still, while all others progress, without losing the position which it formerly filled; and I must say, that, of all positions, the most perilous is to be at once wealthy and weak—to have possessions spread over every quarter of the globe, and a commerce filling every sea, without a navy adequate to afford them protection—and to see, at home, our harbours crowded with merchant vessels, with no military organisation for their defence. I know that my hon. Friend behind me (Mr. Cobden) will tell me that the softening influences of free trade, which bind men together in a common interest, render such precautions unnecessary. This may be very well a hundred years hence, when these softening influences become generally extended; but, at the present moment, where, I ask, is the country with which they are so well established as to warrant the smallest reduction in our expenditure? Where is the probability that a man even of distinction and eminence, like the hon. Member for the West Riding, can find influence enough to carry a proposition for a grand reduction in the armed forces of the world, on the ground that fifty years hence we may have great commercial interests springing up between us and countries with which we are at present connected by no particular ties? I am told, too, that we may look to democratic institutions for a pledge for peace. Upon that point, I am sorry to say that I cannot agree in some of the theories that are put forward. I do not pretend to look into futurity, but I can look to the past; and I think history will tell us that all the great conquering States of antiquity were republics. The studies of our schoolboy days have taught us the mutual hatred of Carthage and Rome, and the proverbial pugnacity of Greece; and if we come nearer our own time, we find that democratic States have not been entirely strangers to warlike acts and feelings. I have seen something of the New World. I know the history of the conquest of Texas, and the origin of the present war between the United States and Mexico; and I confess that the novel principle of "annexation" inspires me with little faith in the moderation or morality of modern democracies. Sir, men are men under whatever form of government they may live; and therefore the only security that I can see for a rich and industrious community like this, is to rely on its own power for its own defence—to set a good example to the world by the regard which it displays for peace, but not to rest on any Utopian theories for the national security. That is the principle on which, ever since 1815, the Parliament of this country has invariably acted; and I say that it is a good, wholesome, practical English principle, worth a whole bushel of free-trade theories. It is the only principle on which this country can or ought to rely. If I go back as far as the Finance Committee of 1817, I find that this principle was then acknowledged as fully as now. My noble Friend, Lord Hatherton, wrote to me the other day to state that he was a Member of that Committee, and that Lord Castlereagh, on being asked, in his examination before it, what he thought the policy of England ought to be, he replied, "To keep up a navy equal to the navies of any two Powers that can be brought against us." The Finance Committee of 1817 acted in this spirit, when it reported that—

> "Esteeming the naval superiority of this country as the principle on which its external power, internal safety, and general prosperity in the highest degree depend, your Committee are of opinion that the sense which they entertain of the necessity for economy cannot, with a due regard to the interest of the State, be allowed to interfere with the support of such a maritime force as may be deemed necessary in time of peace, nor with the preparation for its adequate augmentation in the event of war. And as naval expenditure, in time of peace, is principally connected with the purchase and preparation of materials for future exigency, there is no part of the public service in which an ill-judged temporary economy might be ultimately productive of such considerable expense."

Now, I say that that is very wise and wholesome advice; and if my hon. Friend tells me that we can reduce our present force by 10,000 men, I say that he refers to a state of the world totally different from what we now see around us. The next great and marked epoch in naval history is that commenced by the right hon. Baronet (Sir R. Peel), when he was in power in 1844. I know the right hon. Baronet had the good fortune to inspire my hon. Friend the Member for Montrose, as he inspired the whole world, with the most implicit confidence in his peaceful intentions. We knew his abilities. We always admired his efforts to maintain peace. I believe there never were two men who showed themselves more desirous to preserve the peace of the world than the right hon. Baronet and Lord Aberdeen. Their measures in this respect were crowned with complete success. But what did the right hon. Baronet make the basis of that policy? Why, a very large increase in our own means of defence. The right hon. Baronet the Member for Ripon, who was the great naval economist of 1834, concurred in this policy, and assisted in fixing, in time of profound peace, our naval force at 40,000 men, as a proper peace establishment for 1845. He concurred further in the additional large estimate, compared with his own former economy, of 185,000*l.*, which was sanctioned by the Treasury as a necessary supplement for the year 1845, in order to hurry on our great steam preparations.

And I beg the House to remark, that it was from this period, when we had three men of eminent sagacity presiding over public affairs—that it was from this period that we date every one of those expenses of which my hon. Friends behind me now complain. Within that period there has been a very large increase in all the principal items of naval expenditure. In 1834, the vote for men was 958,761*l.*; in 1845, the vote for men was 1,348,353*l.* The dockyard wages in 1834 amounted to 350,612*l.*; in 1845, to 649,104*l.* Taking the vote for naval stores for the same two years, I find that in 1834 it was 426,958*l.*; in 1845, it was 1,273,789*l.*, with a supplementary estimate of 185,000*l.*, making in all nearly 1,500,000*l.* The same vote for 1846-7 was 1,694,152*l.* Now, all this did not arise from any wanton or wicked desire for war, or any love for extravagant expenditure on the part of the Government then in power. Nobody pretends it. There never was greater unanimity on the part of the House and the country. Is it not unjust, then, to turn round on us, and to say that this is a policy for which we alone are responsible? I find the same increase in other items. In 1834, the amount of timber used in the dockyards was 11,000 loads; in 1845, the amount was 27,000 loads. In 1834, the copper expended was 601 tons; in 1845, it was increased to 1,158 tons. My hon. Friend the Member for Southwark (Sir W. Molesworth) congratulated the right hon. Baronet the other night on his "modest" Navy Estimates for 1834; but my hon. Friend forgot that the estimates for which the right hon. Baronet became subsequently responsible, were amongst the largest upon record; and I confess that I honour the right hon. Baronet equally for his economy and his courage. He saw steam navies growing up in every direction around us. He looked not to France alone, but to Russia, France, and the United States, and he saw a formidable power coming into existence in the steam navies of those countries, with which our old sailing vessels were unfit to cope, and he resolved that England should not be exposed to the chances of weak armaments and undefended dockyards. The fact is, that what others do, we must do also; we must keep our place, or our superiority is at an end for ever. My hon. Friend the Member for Southwark says, that this change is uncalled for, because the United States, with as large a commerce, has a navy, numerically, very inferior to ours. I need not allude to the manner in which other Powers are coping with us all over the world—in the Mediterranean—in the Chinese seas—and in the Pacific; but my hon. Friend forgets that England is a great colonial, as well as a great commercial, Power. He forgets what my noble Friend at the head of the Government remarked the other night, that we may be right or wrong, but that the colonies of England have been esteemed by all parties as one of the great sources of her power and wealth; and that as long as we have colonies, we are bound to protect them. In this respect we are far different from the United States, who have not an acre of land in their possession beyond their own immediate territory. That is the reason why our force is scattered over the whole surface of the globe, and that we are forced on each station to keep up a sort of equality of power with every one who comes in contact with us. And, when we are dealing with the increase of the estimates since 1844, we must recollect the circumstances under which that increase in them has taken place. We must recollect that it was the avowed determination of one neighbouring country, in the event of a rupture, to cripple our commerce in detail; while the dispute with the United States respecting Oregon, rendered their force in the Pacific necessarily the standard of our own. I may here say, that another reason for the change which then took place was the false policy which we had pursued for a series of years, of not maintaining a sufficient establishment in the dockyards—of living, I may say, on capital, and draining off all our stores, so that if, in the last moment, anything like a sudden aggression had come, England would have been wholly without means of making an immediate preparation. I have looked a good deal latterly into that matter, as I was rather curious to see what had been the reduction in some of the principal articles of expenditure while this great economy prevailed. I find that in 1832, before the reign of economy began, we had in the dockyards 64,000 loads of timber, which in 1841 was reduced to 46,000. There were altogether 101 sets of rigging, and these were reduced within that period to 36. Similar reductions took place in sails, in yards, in cables; and, in short, the stores were frittered down generally to the lowest quantity, by not in each year making purchases equal to the annual expenditure until the lowest point was reached in 1840, before the commencement of the

Syrian war. That, I maintain, was a spurious and bastard economy, not to be adopted or reckoned on in any permanent system. I know of no wiser act than that adopted in 1844, when an immense addition was made to the naval stores under the Administration which preceded the present one. I have ventured to remind my hon. Friends behind me what was the system that we found established with the concurrence of Parliament, of our predecessors, and of the country, on our accession to office in 1846. Now, the question is, ought that policy to have been altered? It was no doubt in our power to have disclaimed all connexion with it, and to have claimed credit with the country for putting an end to what might have been called an improvident expenditure. We might have denounced as extravagant, what we knew to be indispensable. We might have left the works which had been commenced, unfinished; but if we had done this, we should have taken a most unworthy course for any Government to pursue—a course which would have been unwise, as well as unworthy, and which would have been attended with the most ruinous consequences to the country, for it would have robbed it of the benefit of all the exertions that had been already made, at a very considerable outlay. Sir, we scorned this course. In 1846, I warned my hon. Friends that this was not the policy which Her Majesty's Government proposed to adopt, and that no reduction of expenditure was to be looked for until the great works in progress had been brought to a conclusion. A very large expenditure had been going on in all our principal yards. We found great works in progress at Woolwich, Chatham, Portsmouth, Devonport, and other places; and I say it would have been a most unwise and most unworthy course to have put a stop to them. We took what I believe was the proper course. We resolved on carrying on those works systematically and vigorously. We now ask the House to continue the system for another year, and then we shall come to a period when we may legitimately look for those reductions in the expenditure that are so much to be desired. I believe that we are now on the point of reaping the fruits of the expenditure in which we have been involved. I believe that we may look forward to seeing that reduction commencing in the estimates for the year 1849-50. I think that we can already see our way to a reduction to a very considerable amount in the estimates for the ensuing year; and this, not because great undertakings have been abandoned, but because great undertakings have been completed, by a perseverance in the system which we found begun before our accession to office. For instance, we take this year under Vote No. 11, the largest vote ever taken for new works—688,601*l.*—though a part of that increase is apparent, and not real, because a corresponding reduction is made in other votes (8 and 10), to which the amount was previously charged. The vote is, however, a very large one for this branch of the national expenditure; and I have the greater satisfaction in stating, that the vote for next year will be only 473,000*l.*, making a saving in one item alone of 214,643*l.* In this, we are paying due regard to the decision of the House on the proposal for increasing the income-tax. When that proposal was first brought forward, it was intended to push on with greater rapidity works that must now be spread over a larger number of years. To the decision of the House the Government must bow; but I certainly am inclined to think that it would have been far more desirable to finish these works at once, and to give the country the benefit of them. It is, however, the legitimate right of the House to force its conclusions on the Government, and by them we must abide. But the real cause of the reduction of 214,000*l.* in 1849 is, not the abandonment but the completion of many of the great works now in progress. Our great object is to give the country some tangible and positive result for the expenditure that has been going forward. We shall finish Portsmouth in the ensuing financial year, as we have already finished Woolwich and Chatham. The expenditure on the works at Malta must now be spread over a period of two years; but, taking the question as a whole, we shall be able not only to reduce the expenditure under No. 11, by 214,000*l.* in 1849-50, but the reduction will go on afterwards at the rate of from 60,000*l.* to 70,000*l.* a year, until 1854, when the whole of the works originally projected by our predecessors in office will be completed, and the country will be subjected afterwards to an expenditure of only 100,000*l.* or 120,000*l.* for superintendence and repairs. I come now to another item upon which an immense outlay has been made during the last ten years—I mean steam machinery. The vote in the present estimates is 280,000*l.*; but we shall be enabled to reduce it in 1849-50 to

100,000*l.* Not that the present vote is too high, because there are contracts for machinery still in progress which must be paid for, but because, with the help of that vote, on the 1st of April, 1849, this country will have a steam navy of 45,000 horse-power; and then, we think, we may fairly pause in the career of expenditure which has been incurred for the purpose of creating that branch of our naval force. England will have altogether at the beginning of 1849 an effective force of 460 ships of different rates and classes, including 121 steamers; and, without pretending to fix the proportions which sailing vessels and steam vessels should bear to each other, or the force which England should permanently maintain — for that must depend upon occurrences of which no man can judge beforehand—I think the Board of Admiralty is warranted in stating that it sees its way to a considerable reduction in the building establishments and stores after the programme for the ensuing year shall have been completed. This is not all. From the introduction of saw-mills, and machinery of that kind, with other costly works now erected, the country has a right to expect a corresponding reduction of manual labour. We are very anxious not to make those reductions fall too heavily upon the labourers. We do not want to swell the amount of unemployed labour at this present time; and for that reason I should prefer giving up all patronage, by reducing the number of apprentices to be taken in the coming year, and not filling up vacancies to large or sudden dismissals. I have put together what I think may be the probable reductions that it is in our power to hold out in the estimates for 1849–50; and I am enabled to submit this estimate of their amount, with the approbation of Lord Auckland and the other Members of the Board of Admiralty:—

Reduction on new works, improvements, and repairs	£214,643
On the purchase and repair of steam machinery	180,000
On building iron steam vessels (the last contract for which will be completed in the ensuing year)	25,000
On ships building at Bombay (which it is not the intention of Government to continue)	25,000
On fitting steam guard-ships (the last contract for which will expire this year	8,500
On building a tank vessel and a schooner at Bermuda	3,710
Making a total reduction of	£456,853

If to this I add, for the reductions on wages to artificers, labourers, and others employed on the establishments at home and abroad—reductions in labour and in stores—to be carried on systematically, 150,000*l.*, which I think we can safely undertake to effect, it will give a total saving upon the estimates of 1849–50 of 606,853*l.* This, Sir, will be done, after leaving an ample margin for all the important heads of naval expenditure. It will be done after leaving 100,000*l.* for new steam machinery, 135,000*l.* for factory wages and repairs, 473,000*l.* for new works, 1,747,000*l.* for dockyard wages and stores, and after making no reduction that we do not think it perfectly possible to combine with a Navy in the most thoroughly efficient state. It is obvious the country has a right to reap the benefit, as soon as it can be effected safely, of the enormous expenditure which has been going on for the last six years. I find that the outlay since 1835 has been, in round numbers, as follows:—

On steam machinery	£2,689,000
Iron steam vessels	503,000
Stores (since 1844)	4,444,000
Works	2,794,000
	£10,430,000

Up to the close of the ensuing financial year this large sum has been laid out in these four items alone; and surely for that it is high time the country should begin to obtain something in the way of benefit. But it is equally clear that we have obtained great benefits as the result of this expenditure. I think the House will see that by persevering in the course which we found marked out for us, we have placed the national establishments in the most efficient and available state. On the 1st April, 1849, we shall have a steam navy of very nearly 50,000 horse-power; whereas in 1835 the steam navy was only of 4,153 horse-power. We shall have the two great factories at Portsmouth and Woolwich in a most efficient state for undertaking all steam repairs. At Portsmouth, although it is not the intention of the present Board to go on with those larger plans proposed by our predecessors, yet the whole space of ground ceded by the Ordnance to the Admiralty has been enclosed, and surrounded by a sea-wall, so that it may be available whenever any further extensions are required. The great basin, one of the most magnificent works of modern times, will be open for use in the course of the ensuing month. The basins at Keyham are progressing most satisfactorily. Malta is provided with a dock for the largest ships, and will be fit, next year, to undertake the repairs of the whole of the Mediterranean fleet. Bermuda, after twenty years of absolute neglect, is likely now to become a station worthy of a great naval Power. When we look at all these things, accomplished by the system which was begun in 1844, and persevered in up to this time, I think we may say the naval establishments of this country never were in a more efficient state, and that England was never in a better position to preserve the peace of Europe, because she never was in a position in which she could prove herself more formidable in the event of war. I put it, then, to the House, whether they will agree to a Motion which will cripple these resources, and undo all that has been done in the last ten years, by refusing the men who alone can give vitality and strength and efficiency to the system we have created; or whether they will sanction the vote which we propose, and maintain a force worthy of those other establishments that have been made so efficient? I know some singular ideas have been broached of late, as to the services required from our ships and seamen engaged on foreign service. My hon. Friend the Member for the West Riding has represented that the lives of English naval officers on foreign service are a continual tissue of pleasures without any real duty; and he has pictured to himself an easy indolent existence, passed under groves of laurel and orange trees, where officers and men retire from the heat and burden of the day. He really seems to imagine that the life of an English officer on board a man of war on foreign service is a constant series of pleasures without any hardship; but let me draw his attention to a paper I placed in his hands the other day, showing the disposition of our fleets. Let my hon. Friend look at that paper, and he will find that our Navy is scattered over a large portion of the globe, over which our possessions are spread. Let him look at the stern realities of the service, and not at those visions which his poetical imagination has conjured up; and he will find that after all there is something for the naval servants of a great maritime Power to look after and to protect, and that those peaceful enjoyments in which he believed them to indulge, occupy but a small fraction of their time. Let my hon. Friend ask the people of Sicily, the inhabitants of Palermo or Messina, or of any other town where British officers have acted the part of mediators, and protectors of their countrymen, in the convulsions that have recently occurred, whether a British fleet in the Mediterranean was useless? Let him ask whether the power of England has ever been more wisely, firmly, or sagaciously exercised than by Sir W. Parker during the last six months? Let him look at the Pacific, from Cape Horn to Behring's Straits, and see our squadron of twelve ships there with 3,500 men. Amid the disturbances of Spanish South America they have given protection to English merchants established in all the places where peace has been interrupted; and where does he think could the officers engaged on this service have found time for the enjoyment he supposes? Let him look at the East Indies, at the five great ports of China, at each of which, by treaty, we have a ship for the protection of our commerce. Sir, you have seen the whole Indian Archipelago cleared of pirates by Sir Thomas Cochrane, and portions of the fleet under his command concurring in the protection of the colonists in New Zealand, where they vied with the Army in feats of daring gallantry. Upon the coast of Africa our fleet has been discharging the most arduous duties in the most exemplary manner. There may be doubts as to the necessity or the policy of maintaining that fleet upon that station; but there can be none as to the manner in which its duties have been discharged. The hon. Gentleman has taken an opportunity to allude to our squadron in the Tagus. Now I venture to say, that instead of being an idle and unprofitable cruise, the squadron under Admiral Napier has been the best naval school England ever possessed. There never was a commander-in-chief who has shown a more indefatigable spirit, or who has done more to train and exercise his men in order to make them efficient, or who has manifested greater ability in making their services effective. Sir, I am sensible that I have traced these subjects out very imperfectly, but I believe I have placed the whole question fairly before the House. If we are to give way, after what has been done, to this cry for economy, without reference to the past, or regard to the future, but looking simply to present exigencies, my firm belief is, that those very constituencies which have been loudest in their demands for reduction, would be the first to express their indignation at the vacillation and imbecility which would be shown in abandoning a system, before we had made it efficient, or given the country the benefit of its past outlay. I have had many applications made to me from my own constituency; but I have always said, "You do not know the case. This is not a question of patronage or place-hunting upon the part of the Government. There is a great national object to be attained, which has been pursued for a long series of years; and I would rather, a thousand times, sacrifice my chance of representing Sheffield again, than consent to abandon that object, when brought within our grasp." I think that is the way in which these representations should be met; and it only requires a little moral courage to meet them successfully. A new Member coming into this House for the first time, may easily believe that the naval expenditure for the ensuing year is unprecedented and unnecessary; but as to many hon. Members whom I see around me, I confess I have been astounded at the language they have used, when I recollect the policy to which, for the last six years, they have been assenting parties. I believe we have a great, a dignified, and a consistent course before us; and I think, after the sacrifices we have made, it would be the height of impolicy to forfeit the results by abandoning the establishments which for ten years we have laboured to make complete. The only secret for national security, in a country like this, and in times like the present, is, to have the power to repel aggression, come whence it may; and I entreat hon. Members, however seducing the demand for economy may appear, to concur in the vote I am about to propose, rather than cripple the resources which they have been endeavouring to create, by a great and systematic outlay. For myself, I have such perfect confidence in their judgment, when brought to the test, that I shall put the question to the House in the plainest and broadest way, and have no doubt as to the issue. The hon. Gentleman concluded by moving that a sum not exceeding 593,000*l.* be granted.

MR. HUME objected to the question being put. It had been understood that no money was to be voted until the Committee had reported. He had no objection to a vote being taken for the number of men, in order that the Government might bring in the Mutiny Bill; but he did object to voting money, as it would be in fact, a breach of faith.

MR. WARD did not propose to take more than that vote on account; but he did not know of any other way in which the number of men could be brought before the Committee than by voting a part of the sum required. The number of men was a question of prerogative.

The CHANCELLOR OF THE EXCHEQUER said, that in the case of the Navy there was no distinct and separate vote for the number of men; while in the case of the Army the first vote in the estimates was for the number, and the way proposed was the only one that could be adopted.

MR. GLADSTONE said, that the hon. Gentleman had treated this as a question of prerogative, inferring that all that the House of Commons had to do was to vote the money, without reference to the number of men. But how did that apply in the case of the Army, when, as the right hon. the Chancellor of the Exchequer had said, the practice was to vote the number of men as well as the money? He found in the Journals of the last year, 1847, page 181, that Mr. Greene reported that the Committee of Supply had passed several resolutions, the first being that a sum not exceeding 185,000*l.* be granted to defray the expenses, &c.; and the second resolution being that 31,500 men be employed in the sea service for thirteen lunar months, to the 31st day of March, 1848; and the third resolution being that a sum not exceeding 1,323,000*l.* be granted for wages of seamen. If this were a specimen of the practice of the House, it appeared that there had been a separate resolution for the number of men, and that it had been submitted to the House before the vote for the wages of those seamen. Some explanation should be given of this, for it appeared but reasonable that the House should have the opportunity of discussing the number of men as well as the amount of money to be voted.

SIR J. GRAHAM had not had time since the speech of the hon. Gentleman to refer to the estimates of former years in the library; but, unless his memory failed, the practice had been that before the vote which the Chairman had been about to put with respect to the means of paying the officers and men, there had always been an enumeration of the number of seamen, boys, and marines to be voted, signed by the responsible advisers of the Crown. He was surprised when he saw that the usual form had been deviated from in the estimates for the present year, and that the number of men required had been only printed in very small letters. Mr. Bernal would no doubt be able to inform the Committee whether the estimates were not this year printed in a form different to that of preceding years.

Mr. HUME wanted to raise the question of the number of men, because the expenses of other departments depended upon it, and it was useless to inquire into those details if the Committee upstairs were precluded from entering upon the question of the number of men. He begged to suggest that the number of men be first taken, in conformity with all preceding practice.

Mr. WARD (who handed a vote to the Chairman with reference to the number of men) said that the mistake had originated entirely in an error on his part. He had prepared the proper resolution, but by an oversight the wrong one had been first proposed.

The Earl of LINCOLN hoped the Secretary to the Admiralty and the Chancellor of the Exchequer would now withdraw the novel doctrine they had promulgated, that the number of men was determined by the prerogative of the Crown.

Mr. WARD: Oh, yes, it was quite wrong.

Mr. DISRAELI: Then what became of the ingenious argument of the right hon. Gentleman the Chancellor of the Exchequer, which, no doubt, had had such an effect upon the House?

Lord J. RUSSELL: His right hon. Friend was quite right in saying that there was a declaration every year in the Queen's Privy Council of the Crown having decreed a certain number of men for the Navy. This was not the custom with the Army estimates; and, in the case of the Navy, of course a subsequent alteration might be made by the House. But, so far, the Crown possessed a prerogative; and, so far, the explanation of his right hon. Friend had been correct.

Sir J. GRAHAM: The Queen in Council certainly did so decree; but, in consequence of that declaration, there had always been set forth, in the first vote of the House, under the name of the First Lord of the Admiralty and of the Board of Admiralty, the responsible advisers of the Crown, the precise number of men proposed by the Government for the service; and it was always then open to any Member of the House to suggest any reduction which might be thought expedient.

The CHANCELLOR of the EXCHEQUER: It was quite true that the first vote put into the hands of the Chairman related to the number of men; but this never appeared, as the right hon. Baronet seemed to suppose, in the estimates. The right hon. Baronet was under a misapprehension in supposing that any document bearing the signature of the First Lord of the Admiralty was ever laid on the table of the House stating the number of men to be proposed.

Sir J. GRAHAM: The first vote, he contended, was signed by the Members of the Board of Admiralty; the vote now in the hands of the Chairman was so signed.

The CHANCELLOR of the EXCHEQUER: The vote was so signed, but there was no estimate of the number of men which was signed.

Sir J. GRAHAM: Perhaps Mr. Bernal would tell the House what the vote now was.

The CHAIRMAN: The vote was a substantive vote of 43,000 men, to be employed for the sea service.

Mr. HUME said this was as it ought to be. Mistakes would arise in the best regulated families; and he would say nothing of the confusion of mind which seemed to exist upon this point. He felt at some loss how to deal with his hon. Friend (Mr. Ward), who seemed to glory in his extravagance, and to take credit for the fact that during the last five years the naval expenditure had been rapidly increasing. His hon. Friend evidently approved of the policy of this increase; and he did not see that any protest of his as to the details was likely to produce much effect. His hon. Friend started with arguing that our power must be relative, and in proportion to the strength of our neighbours'. He was willing to admit that, and he would rest his case upon the admission. We had nothing to dread now; he knew by the Speech from the Throne that we were at peace with all the world. There was a great change taking place in France at this moment, and there were commotions throughout the continent of Europe; but, supposing those commotions to continue, and even Austria and Prussia to change their Governments, he did not see how the question with regard to our fleet would be thereby affected. The only Powers from whom we had anything to apprehend were France and the United States. The Americans had already had to suffer from meddling, and they were not at all likely, just now, to come into collision with us; on the contrary, they evinced the most peaceful disposition towards us. And, with respect to France, it seemed to him quite clear, that when a people were divided among themselves, and employed in intestine strife, they would be very little able, were they so inclined, to make any hostile external aggressions. He saw no reason, therefore, for any apprehension, and he protested against these heavy estimates being justified on the ground that there was danger to be feared from either of those quarters. He had before advised the noble Lord (Lord J. Russell), when the budget was brought forward, to demonstrate to the people of France, by reducing our estimates and disarming some of our ships, that our feelings towards that country were unequivocally friendly; and to confirm the view he had taken of public opinion in France, he would now refer the House to the reply which had been given by M. Arago, Minister of the Marine, the other day, to a deputation of Englishmen headed by Mr. Sturge. M. Arago said that he was glad to find England was well disposed to maintain friendly terms; and it was well known that directions had been given that no increase whatever should take place in the French navy. This showed a friendly disposition on the part of France; and the fact ought surely to have some weight on the House. His hon. Friend asked where was the bond of peace? but where, it might be inquired in return, was the cause of strife? We were at present on good terms with all parties, and we should much more effectually perpetuate that by reducing our armaments, than by maintaining the most costly establishments, and thus evidencing suspicion and distrust. His hon. Friend indicated that they could place no confidence in republican Governments. His hon. Friend seemed to infer, because America had played a very foolish and unjust part, that no faith could be given to France under the same form of government; but this was not a tenable argument—it was as much as to say A had done wrong, therefore have nothing to do with B. England, said his hon. Friend, was rich; she ought not to be left in a weak state, and no risk ought to be run of crippling her resources. But was his hon. Friend not adopting the most direct means, by keeping up these enormous establishments, of destroying our resources? His hon. Friend was naturally a partisan in his department; but this enthusiasm for expense ought not to influence the House. His hon. Friend blamed the House for remissness in conceding the estimates of former years, and he insisted now that the experiment entered upon should be fairly tried. Why, asked his hon. Friend, had they not objected in 1844 and 1845? Why, for the best of all reasons, their purses were then full; and now, as their funds were falling short, it was equally natural that they should begin to consider how they could be economical. The House had no information at this moment before it how the money for the expenses they were about to incur was to be got. There was no doubt that there had been great extravagance in the Navy; there had been, more particularly, great waste in the stores. Stores which had cost 1,000,000*l.*, were found eventually, when not wanted, to sell for no more than 60,000*l.* There had been in this department gross neglect and mismanagement; and if there was one thing more than another open to approval in the naval administration of the right hon. Baronet opposite (Sir J. Graham), it was the course he pursued in avoiding the purchase of more perishable stores than were absolutely required for the current year. The policy of the right hon. Baronet had been the most truly economical. The system at present adopted was false economy in every point of view. His hon. Friend boasted now of the warehouses being filled, and prophesied a magnificent future in five years. In 1849 we were promised we should be in the proudest possible situation—the envy of the whole world; we should then have at our command 450 ships of war. Well, what was to be done with them? Were they all to lie idle and rot, as had hitherto been the result? His hon. Friend entreated them to grant his demands now, and, as a reward for docility, he promised them a reduction of 856,000*l.* by and by. He wanted to know why they were not granted that reduction at once this year? His hon. Friend referred them with pride to our ships scattered all over the world; but the rational complaint was, that those ships were stationed where they could be of no possible use, and where they might do much mischief. There was a strong squadron on the south-west coast of America; but half the number was not wanted? When the late Government was in treaty with the American Government, and there was some danger of a rupture of peace, the presence of such a fleet might have been serviceable; but since all questions of difference were passed over and settled, and we had not an acre of ground there to look after, what earthly necessity could there be for making so costly a demonstration of force? They were told to look to the advantages they had derived from their squadron off Sicily. He would candidly admit that the ships there had proved, on a late emergency, to have been of some use; but a couple of frigates would have been quite sufficient to protect British residents; no reason could be made out for keeping so large a fleet at the station. His hon. Friend justly enough bestowed great praise upon Sir C. Napier; but what had the squadron which had been lying for twelve months in the Tagus actually done? Then there were twenty-seven ships cruising on the deadly coast of Africa, and the result was altogether profitless. Again, we had a regiment and a fleet at Buenos Ayres. What right had we to interfere in the internal affairs of the people there? We acted with the grossest inconsistency; one day we told France that she might change her Governments as she liked, so far as we were concerned; and another day we did precisely what we condemned—overawed and overwhelmed a people, and did this, too, at an enormous cost to ourselves. The fact was, we had too many ships, and the misdirection of such a power was inevitable. His hon. Friend called upon the country not to give way to this ruinous cry for economy. But he denied that past expenditure had been productive of any good whatever. We had made great efforts, and seen no advantages flow from them; and the policy we ought hereafter to adopt was to look after our own interests before we took into account the affairs of other people. He protested against voting so large a force. They did not yet know how the money was to be raised to meet the expenditure proposed. Where were the means to come from? The House had signified very strongly that it would not endure any increase in taxation. The Government originally contemplated an addition of 2 per cent to the income-tax, which, they calculated, would produce to them 2,000,000*l*., and they had based these estimates on that expectation. This hope had been given up, and yet the estimates remained the same. Would the House, then, incur a debt of 5,000,000*l*. for two years together? How was it consistent with a failing revenue that an increased expenditure should be going on? In 1835 we had 167 ships of war afloat and 26,500 seamen—an establishment which was found quite sufficient to protect our colonies and the honour of the empire. Ten years after, in 1845, the number of men had increased to 40,000, and that of the ships of war in commission to 234. It was true there was the war with China; but the right hon. Baronet (Sir Robert Peel) in 1844 said he would only ask 36,500 for the Navy, because the ships sent out to China had not returned, giving the House reason to think that the number of 36,500 men would be reduced, on the return of the ships the ensuing year. In 1848, however, the number of men was 43,000, with 256 ships afloat. One great subject of complaint he had was this, that when the right hon. Baronet had prevailed upon the House to grant 1,000,000*l*. for a steam navy, it was never intended that we should go on building other ships; whereas we had now 96 steam ships (increased from 75 in 1845), and yet we went on building ships as before. This was a great abuse, which he took shame to himself for not endeavouring to stop. Then, in 1835, there were employed in the dockyards 7,884 men; in 1845 they had increased to 12,194; and it was now proposed to vote 13,219. The number of appointments at the Admiralty, in 1835, was only 1,736; in 1845 the number was 2,301; and now they had increased to 3,479, exactly double what they were in 1835, without any reason for it, and in the face of a decrease in the ordinary revenue. He asked the Committee, therefore, to be a little considerate. He held in his hand a return of the number and distribution of the ships afloat from 1835 to 1848, and it was singular to observe how regularly the number had increased. In 1836 it was 173; in 1837, 189; in 1838, 225; in 1839, 228; in 1840, 241; in 1841, 244; in 1842, 257; in 1843, 237; in 1844, 225; in 1845, 230; in 1846, 249; in 1847, 266; and in 1848, 235. Why this increase was made, when he looked at the state of the world, he defied any man to tell; he thought a reduction of even 15,000 men might be made. If his hon. Friend compared the Navy estimates of 1835-36 with those of 1847-48, he would find that there was no less a difference than 3,300,000*l*. excess in the latter over the former; and his hon. Friend proposed to add 214,000*l*. to this large sum, making 7,951,000*l*. instead of 7,737,000*l*. The wages of seamen and marines had increased 421,000*l*. between 1835 and 1847; their victuals had increased in the same time 264,000*l*.; and naval stores from 426,000*l*., in 1835, to 1,604,000*l*., being an increase of 1,277,000*l*. The aggregate estimates for the effective service of the Navy, in 1835-36, was 2,590,000*l*., and, in 1847-48, 5,504,000*l*. In short, almost every item had increased. The average number of men voted for the Navy in the three years, 1833, 1834, and 1835, was 27,000; and in the three years ending 1847-48, 40,000, and now it was proposed to increase the number to 43,000. The Army and Ordnance had increased in the same proportion. The average number of men voted for the Army, Navy, and Ordnance in three years ending 1835-6 was 121,843; but in the three years ending 1847-8 it was 157,059; and this year it was increased to 171,141, being an increase of 50,000 men. And to this number must be added the dockyard battalions and the police, who maintained the internal peace of the country; and he wanted to know why this inordinate increase was requisite? If it was to continue, he wished to ask the right hon. Gentleman the Chancellor of the Exchequer how he was to get the money? In 1838 there was a deficiency of 655,000*l.* in the revenue; in 1839, 345,000*l.*; in 1840, 1,512,000*l.*; in 1841, 1,593,000*l.*; in 1842, 2,101,000*l.*; making a total deficiency of 6,209,000*l.* When the right hon. Baronet (Sir R. Peel) came into office he supplied this deficiency by the income-tax; but if they went on increasing the estimates we should be obliged to submit to 6, 7, or even 10 per cent income-tax to make up the deficiency caused by the expenditure. He was against putting the public credit to hazard; and he therefore counselled the Committee not to vote the estimates until they had taken some means to reduce the expenditure. He entreated the House to consider that the question was whether they would vote a certain number of men; whether they wished to continue a heavy tax, and to add to that tax, in order to avoid ruin. The ordinary annual revenue, in the twelve years from 1831 to 1842, was 50,258,000*l.* in 1835, the lowest, and 52,837,000*l.*, in 1836, the highest. The total annual expenditure in eight years, from 1831 to 1838, was 48,787,000*l.*, in 1835, the lowest, and 51,720,000*l.*, in 1838, the highest. There was, therefore, more than sufficient revenue to meet the expenditure. If he took the average of the ordinary revenue from 1831 to 1840, 51,161,000*l.*, and that in 1841 and 1842, 51,813,000*l.*, there was a surplus of 651,000*l.* in 1841 and 1842 over the average of the preceding 10 years. If he took the ordinary revenue of 1846–47, 57,597,000*l.*, and deducted the income-tax 5,543,000*l.*, being 52,054*l.*, the ordinary revenue that year exceeded by 241,000*l.* the average of 1841 and 1842. This state of the revenue held out a consolatory hope of the elasticity of the resources of the country, showing that the Government had good materials to work upon, which only required judicious management. If he could see any hope of further improvement in the state of the revenue, or a better state of things throughout the country generally, he might be induced to waive some of his objections; but when he looked at the whole scale on which it was proposed to maintain the Navy, he could not regard it as otherwise than preposterous; he hoped, therefore, that the House would support a Motion for reducing the sum now to be granted to the Crown below the vote of last year, and bringing the number of men down to 36,000. He only begged of hon. Members to turn their attention to the report of the year 1816; they would there see that the Committee, though Lord Castlereagh was then in power, took the condition of our establishment in 1792 as the basis of their report. In that year we had only 16,000 men for the Navy, including marines. At that time there were no boys in the Navy, and that number of 16,000 included all the naval officers of every description. It appeared to him that in the present condition of the country, looking at all our relations, foreign as well as domestic, a force of 27,000 men would be quite enough, in addition to the 10,000 employed in America and in Africa. He would repeat that the principle upon which his proposition rested was a well-founded principle; but he admitted that, after all, it was only a part of what must be done. When he looked at the amount which the country had to pay—when he compared that amount with the probable means at the disposal of the Crown—when, in short, he compared the revenue with the expenditure, he could not regard that comparison with any other feelings than those of alarm. The hon. Gentleman who proposed these estimates seemed to proceed upon the principle that we were now at war; but we were not at war, and we should husband our resources with the strictest economy. Amongst other items of expenditure from which we could hope for no return, the famine in Ireland had led to an addition of 8,000,000*l.* to our debt. The commercial and the manufacturing interests of this country were in a state of extreme depression. Unfortunately, at this moment the people of England were called upon to bear not only a vast weight of Government taxes, but a prodigious amount also of local taxation.

Instead, then, of adopting the idea that England was rich, Parliament ought to proceed upon the melancholy truth that England was poor. Influenced by such considerations, he called upon the House to support him, and to bring down the numbers and expenses of the Navy to the standard of the year 1836. The hon. Member concluded by moving an Amendment, to the effect that the number of men be 36,000 instead of 43,000, being a reduction of 7,000.

Mr. CORRY said, that if the debate had been confined to the discussion of the resolution then under consideration, he should not have thought it necessary to offer a single observation on that occasion; but as the general question of the amount of the Navy Estimates of the last few years had been raised by the hon. Member who had last spoken, he felt himself called upon to give the Committee some explanation on the subject. He was, he confessed, astonished at the expressions of surprise and alarm which he had heard from some quarters, respecting the growing increase in the amount of the Navy Estimates, as if the causes of that increase had not been from year to year stated on the face of the estimates themselves, and the sums proposed, upon almost every occasion, unanimously assented to by Parliament. To show that their increased amount was the result not of any want of economy, but of additional charges which had from time to time been thrown upon them, he would institute a comparison between the estimates for the year 1846–7—the last and the largest which were prepared by the late Government—and the estimates for the year 1831—estimates which were proposed by a First Lord of the Admiralty who certainly had never been accused of extravagance in the administration of the Navy—he meant his right hon. Friend the Member for Ripon. The year 1835 was, he was aware, the favourite period of comparison with some hon. Members; but he would not revert to that period for a reason which he would presently state; but comparing the estimates for 1831 with those for the year 1846-7, he found that the total increase on account of effective services, amounted to 2,127,615*l.* Of this additional amount, 171,000*l.* was for wages, and 41,000*l.* for the victuals of 6,323 men, for whom political and other considerations had rendered it necessary to be borne. But the charge for these additional men did not stop here; for of course the employment of more men involved the necessity of keeping either a larger number, or else a more expensive description, of ships in commission; and from the best estimate which he could obtain, the additional annual charge on this account for 6,000 men, could not amount to less than 86,000*l.*, which would make a total additional charge consequent on the employment of the additional number of men borne in 1846-7 of 298,000*l.* The next charge he would advert to was, that for the packet service, which had been transferred from the Post Office to the Admiralty, in the year 1837. Previously to that period, the Admiralty had indeed defrayed the expense of some of the foreign packets; but, after abating this charge as it stood in the estimates for 1831, he found that the additional charge borne by the estimates for 1846-7, amounted to 602,000*l.*, of which 545,000*l.* was on account of the contract packet service, the cost of which appeared as an item of naval expenditure, while the receipts were credited to another department of Government. But the great cause of increase in the estimates of late years, was the creation of the steam navy, and the construction of the new works in connexion with the dockyards, which the wants of that new arm of the service had rendered indispensable. The estimates of former periods since the Peace had been charged merely with the maintenance of an old and overgrown Navy—those of late have, in addition to the maintenance of the old, with the creation of what he might call a new Navy, and that of a most costly character. Comparing the estimates for 1846-7, with those for 1831, when the steam navy was only in its infancy, he found the additional charges for the later period were as follows:—

For wages to artificers in the Woolwich steam factory	£50,000
For steam vessels built by contract	120,000
For the purchase of steam machinery	390,000
For coals (exclusive of those used in the packet service)	80,000
For steam basins, factories, and docks	314,000
Making a total increase, on account of the steam navy, for services specified in the estimates, of	954,000

If to this were added the estimated cost of the hulls of the steam vessels in course of building in the dockyards, which was included under the votes for wages to artificers, and for the purchase of materials, and which, at the average rate per ton, amounted to upwards of 250,000*l.*, the total additional charge, on account of the steam navy in the estimates for 1846-7, would amount to no less than 1,204,000*l.*, which, added to the 602,000*l.* on account of the packet service, and to the 298,000*l.* on account of the additional number of men borne, would give 2,104,000*l.*, within 23,000*l.* of the whole increase of 2,127,000*l.*, for which he had undertaken to account. The necessity for bearing so large a number of men—for having so extensive a packet communication—and for organising so formidable a steam navy, might be disputed, although, in his opinion, it could easily be defended; but he thought that the statement which he had made must have satisfied the Committee that neither the late nor the present Board of Admiralty were justly chargeable with the imputations of departmental extravagance which had been alleged against them. With respect to the principal cause of increased expenditure he meant the steam navy, his hon. Friend the Secretary of the Admiralty had stated on a former night, in the course of an able and convincing speech what had been the increase of the steam navy since 1835; but the charge of effecting that increase had fallen far more heavily on the estimates of late years than would appear from that statement, because the increase had been far more rapid during the last than during the first half of the period. From the 1st of April, 1842, the date of the first naval estimate prepared by the late Government, to July, 1846, when they retired from office, the increase in the steam navy had been—in number of vessels from 59 to 101; in tonnage from 34,900 to 73,700; and in horse-power from 9,688 to 25,299. This had been the increase in vessels actually built, independently of which the work executed on the hulls of steam vessels left by the late Board of Admiralty in progress of building, represented eight vessels of 8,759 tons, and 3,500 horse-power; and, in addition to this, a large expenditure had been incurred on the hulls and machinery of the eight steam guard-ships which had been ordered to be fitted for the defence of the dockyards and other Channel service by the late Government. He asked how it could have been possible to have effected such an increase of force as this, and which he maintained had been in no respect greater than the safety of the country imperatively required, without a corresponding increase in the amount of the Navy Estimates? But it had been said, that while they were thus adding to the strength of the steam navy, they had gone on increasing that of the sailing navy also, of which the hon. Member for Montrose had alleged that the number was already so great that it would be impossible to man them all in the event of war. He would show that this was a great misconception, and that the number of sailing vessels had been constantly diminishing. The year 1793 used to be a favourite period of economy and of reduced establishments with the hon. Member; and what did he (Mr. Corry) find? Why, that the number of ships of the line in 1793 was 129; while in 1848 it was reduced to 71. Of frigates, in 1793, the number was 155; in 1848, 93. These numbers included the ships which were in an effective state for sea service, as well as those in want of repairs. [Mr. HUME: What was the number of men?] He would come to that question presently. It might be said, that the ships of the several classes were larger and more heavily armed in 1848 than in 1793, and that a smaller number of ships at the latter period might represent as great a force as the larger number at the former; but he would show that there had been a great diminution in the number of sailing vessels since 1835, when the ships of the various classes were as large as at present. The comparison between the number of effective ships of the line and frigates (which excluded those in want of larger repairs) in 1834, and in 1846 stood thus:—

	1834.	1846.
Ships of the Line ...	87	64
Frigates	108	89

And he thought that this ought to satisfy the Committee that there had been no extravagance of late years in building sailing vessels; and the only justification for the several Boards of Admiralty in having suffered their numbers to be reduced so low, was the great exertion which the necessity of organising a steam navy with the utmost despatch had occasioned. The hon. Member for Montrose had asked what was the number of men in 1793, and had intimated the opinion that it would be impossible to find men to man the whole of the vessels at present comprised in the English Navy. In 1792, the number of men borne on the books of the Navy was only 17,361; and, although at that period the seamen employed in the mercantile navy were not near so numerous as at present, the number of men borne was raised in the course of eighteen months to 83,291—a force more than sufficient to complete the complements of the whole of the Navy at the present moment. With respect to the amount of the estimates, there could be no doubt that it would admit of considerable reduction on the completion of the new works now in progress, and the organisation of the steam navy on a scale sufficient for the defence of the country; but he thought that the great exertions which had been necessary of late years in order to effect these objects sufficiently, accounted for the large expenditure which had been incurred, and which some hon. Members attributed to the absence of a due regard to economy on the part of the Naval Department of the Government. The hon. Member for the West Riding of Yorkshire had, indeed, said that these exertions had been uncalled for; and that it was this country, and not France, which had set the example of exaggerated naval preparation, and had occasioned that rivalry which had caused so great an increase of the expenditure of both nations; but he was prepared to show that this statement was not borne out by the facts of the case, but that every effort which this country had made had been rendered indispensable by efforts already made in the same direction by France, and othe naval Powers. With respect to the vote now under discussion, the number of seamen voted for the French navy of late years had been at least equal to that which had been maintained by this country. The number voted for the French navy for the present year was upwards of 29,000, exclusive of the *infanterie* and *artillerie de la marine*, and exclusive also of 1,100 men for the packet service, which in France was provided for by another department of Government, while in this country it was included under the head of naval expenditure. This was actually a larger force than that which had been proposed by his hon. Friend the Secretary of the Admiralty; and he asked whether (more especially at a time like the present, when, as the noble Lord at the head of the Government had said, we were walking, if not in danger, at least in darkness), considering that France had at her disposal so large a military force in comparison with that which was maintained by this country, it would be safe to consent to the reduction in the number of men which had been proposed by the hon. Member for Montrose, or to any diminution whatever of the force for which the resolution which had been put from the Chair provided. He had said at the commencement of these observations that he would state to the Committee why he had selected the estimates for the year 1831, instead of those for 1835, for the purpose of comparison with those of the present period. His reason was that the estimates for the present period and those for 1835 were prepared on a totally different principle, and therefore there could be no analogy between them. The estimates for 1846 were prepared on the principle of replacing the stores of every description proposed to be used for the service of the year, and thus maintaining what was called the proper establishment; but in 1835 we were living upon stock, and reducing the quantities of the various articles remaining in store, from year to year, to such an extent, that if the system of taking low estimates had been persevered in for a short time longer, the dockyards would have been absolutely denuded of the means of supplying the ordinary demands for the equipment of the fleet, and, still more, of meeting the exigencies of any unforeseen emergency. These economical times were no doubt exceedingly agreeable as long as they lasted; and some hon. Members were fond of indulging in the pleasing retrospect which they afforded; but they had quite lost sight of the consequences of this mistaken economy, which had been to throw upon future estimates the burden of replenishing our exhausted stores, which had been one of the chief causes of increased naval expenditure which successive Governments had found it necessary to propose. It was not safe for this country to be left at any time without an adequate stock of naval stores, for it would be impossible to purchase the necessary supplies for large ships on the occurrence of any sudden emergency; and it was a great mistake to suppose that the country suffered any loss from maintaining an adequate establishment of the various descriptions of stores, because if kept under shelter, and properly protected from the weather, they were subject to a very trifling degree of deterioration. He had himself seen a specimen of some canvass which had been in Portsmouth dockyard upwards of 100 years, and which was still in a perfect state of preservation. He would only mention, to show the results of the mistaken attempts at economy to which he had adverted, that the vote for stores, which in the favourite year 1835 amounted to only 430,000*l.*, was increased in 1840 to 1,000,000*l.*, and in 1841 to 1,337,000*l.*—the largest amount ever proposed for the purchase of stores since the Peace, with the exception of the estimate which he (Mr. Corry) had himself laid on the table in 1846—of which nearly 400,000*l.* was for the purchase of steam machinery; and he wished the Committee to bear in mind that the large estimate for 1841 was proposed not by the late Board of Admiralty, but by that over which Lord Minto presided, and at a time when no great effort had as yet been made for the augmentation of the steam navy. Such had been the result of former—as he thought—mistaken attempts at retrenchment; and he thought it far better to leave these questions to the discretion of the Board of Admiralty than to enforce attempts at economy which would only end in disappointment in future years. In conclusion, he sincerely hoped that the great majority of the Committee would support the proposition of the Government. It would be exceedingly unwise—especially in the present posture of affairs—to reduce the strength of our naval force; and he trusted that the hon. Member for Montrose would be left in that inglorious minority which he thought his proposition at such a time so richly merited.

MR. BAILLIE COCHRANE was exceedingly astonished that the hon. Member for Montrose, who so frequently appeared to be well read in history, should have made this Motion. The hon. Gentleman could not have read the address of M. de Lamartine to the different Courts of Europe; he could not have read the speeches that had been made by the members of the Provisional Government. The hon. Gentleman must not be aware that at Dijon there were men who started this principle that war was to be made for the sake of war—that the blood which was shed in war was necessary to refresh the exhausted veins of Europe. No man could have watched the proceedings of the Government of France who would say that war was not likely to occur, and that war within a short period, unless some great changes took place, was not inevitable in Europe. The hon. Gentleman had referred to what had fallen from Mr. Sturge, who headed a deputation to the Provisional Government of France. He would take that opportunity of saying that it was disgraceful to any English gentleman to have presented such an address in Paris. He (Mr. Cochrane) did not by any means wish to make any observations disrespectful to the Provisional Government of France; on the contrary, he had, on a former occasion, said, that, in his opinion, the members of it had gallantly stepped forward in the time of a great emergency, by which course, he believed, they prevented great bloodshed. But if we were to entertain a high admiration of the principle laid down by the noble Lord at the head of Her Majesty's Government, viz. that England ought not to interfere with the affairs of France, for God's sake do not let our countrymen so ostensibly interfere with those affairs as had been done by some English gentlemen recently, who presented an address to the Provisional Government in Paris. It was not for us to censure the proceedings of France; he, for one, at all events, would not join in anything which might approach to an interference, and which must inevitably lead to a collision. The hon. Gentleman had said that there was no disposition on the part of France to make war; he said there were no preparations making for war on the part of France; but had the hon. Gentleman read the history of the Revolution of 1792? Although he would be the last individual to say anything offensive to France, who numbered amongst her children many a gallant man, yet he did think that on the present occasion this country should not be misled. Looking at the present state of affairs he should say that it would be most unwise and prejudicial to the interests of this country to make any reduction in our Army or Navy. Europe generally was threatened with a war; and he believed it would not terminate without England being dragged into it. The hon. Gentleman had asked what had been the result of all our expenditure in keeping our national defences in their present state? He would tell him. Whilst the rest of Europe was convulsed, we were in a more secure state than any other European Power, both internally with regard to our own people, and externally with regard to other nations. He fully agreed with the right hon. Gentleman who had just sat down, that the truest way to prevent war was to be prepared for war, and to avoid misleading our fellow countrymen by the notion that there was no danger to be apprehended from the other States of Europe in the present alarming period.

MR. AGLIONBY wished to ask the noble Lord the Chairman of the Committee that had been recently appointed to inquire into the best mode of lessening the amount of our naval expenditure, or any other Member of the Committee present, what had been done, or was intended to be done, in reference to the proposal that had been made on former occasions by Captain Warner—which proposal, in his (Mr. Aglionby's) opinion, had not yet had a fair trial—it had been cried down in a very unfair manner. If there were anything in that invention—and he was not competent to say whether there were or not—it was but right to the House and the country that the scheme should be fairly tested. As he thought that the proposal was in every way worthy of a fair and deliberate investigation, he wished to ask what course the Committee intended to pursue with regard to it?

Mr. CUMMING BRUCE having had the honour of being upon the Committee to which the "long range" of Captain Warner had been submitted, and seeing the very anxious manner in which the hon. Member for Cockermouth had endeavoured to press the claims of the Captain upon the House, wished to warn them against entertaining wild projects, as the testing of them formed a large item in the public expenditure. He advised them not to give too willing an ear to the statements of adventurers, who would endeavour to force their schemes upon the country. He remembered testing the invention of Captain Warner, and he confessed that it appeared to him to be one of the wildest and most chimerical projects that had ever entered into the mind of any man. He entertained a high respect for the hon. Member for Montrose; but surely he could not conceive for one single moment that there was the slightest chance of carrying the proposition which he had just made. His hon. Friend was continually proposing reductions in the public expenditure; being apparently possessed of a notion that "estimate" necessarily implied "reduction:" he believed that the hon. Gentleman could form no idea of an estimate in which there was no reduction; in fact, he appeared to be as singularly devoted to "reduction of estimates" as Captain Warner was to his "long range." He really must say that, in his opinion, Her Majesty's present Government had not received from their usual supporters that support on these questions to which he believed they were fairly entitled. Those hon. Gentlemen talked as if Her Majesty's present Government were the first who had ventured to propose an income-tax, and as if all the distress, all the manufacturing and commercial difficulties of the country, were to be ascribed to their measures. They appeared to forget that the income-tax originated with the late Government, and that our distress was attributable in a great measure to the monetary laws introduced by the right hon. Baronet the Member for Tamworth. It should be recollected that Her Majesty's present Government had not sought for office; the administration of the affairs of this country was really forced upon them; and it was not fair to charge them with the faults of their predecessors. He did not profess unlimited confidence in Her Majesty's present Government; but he must say that he was much more disposed to vote for their present proposition than that of the hon. Gentleman, which, if carried, must lead to results prejudicial to the security of this country. There were some points in connexion with the naval expenditure in which he did not wholly agree with the Government. For instance, he did not approve of the blockade on the coast of Africa. The cost of that squadron had no doubt been exaggerated; however, there were 25 or 26 ships there, involving an expense of 300,000*l.* or 400,000*l.*, which he thought might be very well dispensed with. It was pretty well ascertained that the result of all our exertions to stop the slave trade by blockading the coast of Africa was little else than an aggravation of the horrors of the middle passage. When they encouraged slavery by stimulating the cultivation of slave-grown sugar, it was time to put an end to this cruel and costly inconsistency of the blockade of the coast of Africa. He believed that no policy was more characterised by supreme folly, atrocious cruelty, and supereminent breach of public faith, than the course of legislation pursued in reference to the West India colonies. Looking at the present state of Europe and of the world generally, it was most requisite, if we wished to maintain general peace, that we should maintain unimpared the superiority we had received as a heritage from Howe, St. Vincent, Duncan, Collingwood, and Nelson; and the best way of doing so was by agreeing to the Motion of Her Majesty's Government. He sincerely trusted that the hon. Gentleman might be left "in a glorious minority."

Sir J. GRAHAM said: I gave way most willingly to my hon. Friend (Mr. Cumming Bruce); but I hope he and the Committee will pardon me if I ask leave not to follow him into the various topics he has touched upon. I do not think it would be expedient for me, on the present occasion, to enter on the disputed ground of policy in reference to protection, and, much less, to dilate upon the existing state of parties, or the causes which placed the present Administration in power. Neither will I advert to the debatable question of the policy pursued with reference to the sugar colonies, or those other innumerable topics on which he has dwelt. The hon. Member for Cockermouth has asked a question with respect to the application made by Captain Warner to have the merits of his invisible shell and long range investigated before the Committee on the Army, Navy, and Ordnance Estimates. The noble Lord who presides over that Committee is not at present in the House; but the House is well aware that he is never intentionally wanting in courtesy to any one, and I thought that he had already answered Captain Warner's application on behalf of the Committee. However, I can state to the hon. Member for Cockermouth, that inasmuch as the reference made by the House to that Committee is to inquire whether any saving can be effected, without detriment to the public service, in the Army, Navy, and Ordnance Estimates, that Committee, composed principally of laymen, will not think it their duty to investigate the subject of Captain Warner's long range. I should be sorry if the discussion we have now entered upon, which is a discussion of primary importance in a great crisis of public affairs, should degenerate into a question of mere detail. The decision of the House on the present occasion is fraught with great and mighty consequences; and I sincerely hope that no passing considerations of minor importance will betray this Committee into a wrong decision with respect to the vote which we are called on to give this evening. When I came down to the House, I was not at all prepared to be put upon my defence by the hon. Secretary to the Admiralty. I little expected that reference would have been made by him to the conduct of the Naval Administration, during the time I held office in the Admiralty, in 1831, 1832, 1833, and 1834. I thought, on a former occasion, when he said that the naval arsenals were left in an unguarded state at that period, and that this country, on any sudden emergency, might not have been able to maintain her position among the maritime Powers of Europe, and to vindicate her supremacy on the sea, that the hon. Gentleman had given utterance to a hasty expression. The hon. Gentleman has, however, renewed that charge to-night; and he referred to the saving made at the period to which I allude, certainly not in terms of commendation, but, as I thought, in terms of censure and of reprobation. The House will remember that is no new attack upon the Naval Administration of that period. I was First Lord of the Admiralty under Earl Grey's Administration; and at that time—when the facts were fresh in my memory, and when I could refer at once to official documents—charges were preferred against me in this House with great ability by a naval officer of high reputation, the present Earl of Hardwicke, and by an officer of still higher authority, Sir G. Cockburn. I certainly did think at that time that I had disposed of the question in a manner which was perfectly satisfactory. I hoped and believed that my Colleagues, and especially the noble Lord at the head of the present Administration, were satisfied with the vindication I then offered. The very topics to which the Secretary of the Admiralty has adverted — the questions of an insufficient supply of bolts of canvass, and tons of hemp, and other perishable articles—were then matters of charge with respect to the reductions which I had effected. I met those charges at the time, and I certainly thought I had shown that, with respect to all articles of paramount importance, which were absolutely required, we had added to the stores, and had thereby increased the efficiency of the department; and that reductions had been made only with reference to perishable stores, which might readily be supplied by contract in case of any emergency. Since that period I have not paid any scrutinising attention to naval affairs; but I think, with respect to those affairs, that the great difference between prudent parsimony and prodigal expenditure consists in this—that prudent parsimony would provide only those articles which could not easily be obtained in case of emergency; and that prodigal expenditure would—in the apprehension of events which may not occur, and which in the time of a long peace have not occurred — provide perishable articles in an unnecessary quantity. Those perishable articles waste and decay in the lapse of time, and the money expended upon them is absolutely thrown away. I do not, however, wish to pursue this matter further.

I might go into details, by which, I have no doubt, I could show, to the satisfaction of the House, as I showed to the satisfaction of a former Parliament, when the facts were recent, that the charge of leaving the dockyards unprovided with the necessary materials was erroneous, and certainly could not be proved or sustained. Allow me to observe, however, that, although this is a peace estimate, the manner in which my hon. Friend moved it was somewhat pugnacious. The hon. Gentlemen who sat behind him appeared to be of that opinion; but I would still hope they are open to conviction, and that even the hon. Member for Montrose (Mr. Hume), after hearing the debate, will not persist in his Motion. Not satisfied with attacking his hon. Friends behind him, whose opposition he calculates upon, the hon. Gentleman (Mr. Ward) also attacked me and the Administration preceding his own, as if we were put upon our defence. Not satisfied, too, with moving the estimates for the present year, the hon. Gentleman has actually gone the length of moving the estimates for the succeeding year. The hon. Gentleman has done me and my right hon. Friend the Member for Portsmouth (Mr. F. T. Baring) who is associated with me on the Army, Navy, and Ordnance Estimates Committee, a very great service, for he has cut off all necessity for inquiry into the Navy Estimates. He has told us, on the authority of Lord Auckland, the precise limit and amount of saving which can be effected during the ensuing year. He has told us that 600,000*l*. is the precise amount which may be saved, with a due regard to public safety, in the year 1849-50, and that no greater saving must be expected. Now, these matters of estimate resolve themselves very much into questions of confidence. It is in vain for Committees of this House to attempt to enter into the details of savings in the estimates for public establishments. They may point out, upon imperfect information imperfectly given, the outlines of some savings; but the detail of savings is a matter strictly confined to the province of the Executive Government. It is the first duty of the Executive Government to attend to such subjects; and I am satisfied that, excepting by them, that duty never can be adequately performed. Now, really, if we are to understand that this matter has been looked into narrowly by the Executive Government, and they say that no saving can be effected beyond the amount mentioned by the hon. Gentleman opposite as likely to be saved in the ensuing year, I must say, that I, for one, should despond of any good consequence whatever resulting from any further investigation of the Naval Estimates by the Committee appointed by this House. But the hon. Gentleman argued, because the Government of the right hon. Baronet (Sir R. Peel), in 1842, 1844, and 1846, with reference to the circumstances of those particular years, proposed to Parliament a considerable increase of expenditure in the naval department, and obtained their sanction to the proposal, that, as an immediate consequence, the expenditure of the present Administration, with reference to naval affairs, under different circumstances, must necessarily be progressive. The hon. Gentleman asserts, that because the naval expenditure was large two years ago, that, therefore, the expenditure of the present Government must be somewhat larger. Now, allow me to observe, that when the Government of the right hon. Baronet came into office, we found the China war commenced—imperfectly conducted—dragging its slow length along, and not likely to be brought to a speedy conclusion. We took immediate and active measures to bring that war to a termination; and I am happy to say we brought it to a triumphant conclusion; but the war entailed upon the country a great naval effort, and a considerable increase of expense. So much for the estimates for 1842. Then, with regard to 1844, it is now vain to dissemble the fact—it was not dissembled by my right hon. Friend at the time—that a very serious misunderstanding took place between the British and the French Government with respect to Tahiti; and that the Government of this country did think, in the then state of their relations with the Government of France, that an increase of the naval force was indispensable. Then, again, in 1846, were there no circumstances which rendered a very large increase of our naval force, with a view even to the maintenance of peace, politic and necessary? I need hardly remind the House that the last act of my right hon. Friend—indeed, the news arrived the very day upon which he declared the resignation of the Government—was to announce to the House that an amicable adjustment of our differences with America respecting the Oregon territory had taken place—a dispute which had at one time assumed a most hostile aspect, and which fully warranted the Government in taking those preparatory steps which always involve expense. I will only further observe, that the estimates are to be judged by the circumstances of the time, with a due regard to the position of the Government, and with a disposition to accede to all fair and reasonable requisitions. Now, I gladly pass from this part of the question, which, after all, is one of mere detail, to the discussion of matters of much graver importance—to the consideration of the circumstances in which we are now placed. The Government of this country is at the present moment placed in a position of great difficulty —of high responsibility—and in bringing subjects like the present before the House, they are compelled to observe a cautious and a prudent reserve. I feel, Sir, that, upon all occasions, and even under ordinary circumstances, that it is not the duty of the Government of this country, with reference to its safety and to the peace of the world, from time to time, to state all the circumstances which induce them to call for an increased amount of force. In fact, as I said before, properly considered, the vote upon the Navy Estimates resolves itself into a vote of confidence in the existing Administration. The noble Lord at the head of the Government, in first introducing this subject, did, I think, in a manly, plain, and intelligible manner, open to this House and to the country the particular circumstances which at the time he made that statement led him to believe that the naval force which he proposed in this estimate was not larger than the safety of the empire and the interests of the country really required. I, as an individual Member of this House, shall exercise the privilege which I think belongs to a Member of Parliament, and shall frankly and without reserve state my opinion upon the circumstances in which we are placed. I conceive that a Continental Power, France for instance, having an extensive and open frontier, is perfectly justified in keeping up a large standing army; for such a force is necessary for the independence and safety of the State: it is purely a defensive force, and, therefore, neither Great Britain nor any other country has any reason to complain of it. But, on the other hand, I am bound to say, that great naval preparations on the part of France, she not having many colonies nor an extensive commercial marine scattered throughout the world — that large naval expenditure by her, whether on building ships, or enlarging dockyards, or making breakwaters, or in fitting arsenals, or erecting fortresses along the Channel, do not appear so much a defensive policy as an offensive policy, demanding the close and anxious attention of the Executive Government of this country, and I will add, the jealousy—the patriotic jealousy—of the representatives of the people. It cannot be said now, as was said previously to that unhappy difference between France and England upon the Tahiti question to which I already adverted, that a cordial good understanding exists between the people of the two countries—that cordial understanding was then disturbed. Unhappy differences of a still more serious character sprung up subsequently upon a transaction to which on the present occasion it would be painful and perhaps ungenerous to advert. At all events, the interruption of that good understanding has increased, I am sorry to say, to something like national hostility. An officer, high in the French service, not long since spoke in a manner which could not be mistaken, of the necessity of an increase in the naval department of the French service; and the French Chamber acquiesced in the demand for an immense increase in the navy estimates, and large naval preparations. The result was, that steamers of war, very powerful and large, were added in great numbers to the French navy; fresh line of battle ships were built, and fortifications were erected; the Channel harbours were ordered to be repaired, forts were garrisoned, at Cherbourg and Dunkirk; and the ports directly opposite to our shores, were put in a state of military readiness; and all those preparations were not made silently and secretly, but they were frequently and almost ostentatiously boasted of. Well, Sir, I must say, that, under such circumstances, the British Government would, in my opinion, have neglected their first duty — would have been guilty in the highest degree of risking the honour, the safety, the independence of this country, if, having witnessed such enormous, such reckless expenditure in France, they had not put the naval armament of England and our shore defences into a suitable state of preparation; and I do not think that such a preparation on the part of England could be justly regarded either in the light of provocation or of hostile rivalry, but simply as a measure of defence and of necessary precaution. The noble Lord (Lord J. Russell), with great justice and propriety, stated to the House that a new element had arisen since any serious misunderstanding existed between France and this country. I allude, of course, to navigation by steam. Observe, that France had not only prepared an immense number of steam vessels of the largest size, capable of conveying for short distances—certainly across the Channel—a large number of troops, but she had railroad communications between her principal Channel harbours and the interior of the country, while she had a large standing army always at her command—a force which, I have said, would, under ordinary circumstances, be no object of jealousy to this country, as it is to France a shield of defence, as well as a spear of attack. But you must bear in mind that France possesses these great advantages. You must recollect that assailants always possess great advantages in the concentration of their force, and in their power of choosing their opportunity, and that those who have to act on the defensive must be prepared at all times and under all circumstances for resistance. I do say, Sir, that unless Great Britain maintains her lead in naval preparations—unless she stands at the head of the maritime Powers of the world at all times and in every emergency—if she is not, without dispute, the mistress of the British Channel—I say distinctly, advisedly, and with much forethought on the subject, that these intact shores, on which a foreign enemy has never trod, may be exposed at any moment to that most disgraceful and horrid outrage, a national invasion, and the battle of independence will be fought not upon the seas, but upon your own shores—not in the British Channel, but in Kent or Sussex Our naval supremacy should, then, under no circumstances be risked. I think, therefore, that the force proposed by Her Majesty's Government at this time is by no means excessive, and that any diminution of the proposed amount of force would not be consistent with the public safety. I would not now put the Government in the situation to tell you all the reasons why they cannot, consistently with present circumstances, reduce the expenditure required for that force. I beg they may not be dragged into that discussion. Let it not be supposed that anything I have said has been said otherwise than with a desire for peace. My earnest desire and my fervent prayer is, that the peace of the world may be preserved. My belief is that a state of due preparation on our part, and a firm but pacific attitude, even in the last extremity of danger, may go far to secure that object. But I again intreat the Government not to go into explanations upon this subject; not to be dragged into an irritating and imprudent discussion. I do think, Sir, that whatever might have been the feelings of hon. Gentlemen some time back, or their general predisposition in favour of economy, that their sense of patriotism must tell them at the present moment that it would be highly indiscreet to diminish the British Navy—that a desire to maintain our own independence, nay, even to preserve peace, must make them anxious to maintain our Navy in its full efficiency—that Navy which has long made England the arbitress of nations, and to diminish or curtail which would be to paralyse and wither the right arm of our strength. I cannot tell you how deeply, how intensely, I feel upon this subject. I hope there will be no further resistance to these estimates; but if there should, I trust the House will show by a large majority its decided opinion that none of our naval force ought to be disbanded. Something has been said about jobbing, place-hunting, and patronage, as being the cause of the expensive estimates submitted to the House. I believe that there has been nothing like jobbing or place-hunting; but there is a tendency, on the part of every office of every branch of the public departments to wish to have those departments in the highest possible order, with a comparative recklessness of expense. We have now arrived at a point with reference both to revenue and expenditure when such expense must be checked with a firm and determined hand. Now, I am quite prepared to vote for a force of 43,000 men. I decidedly approve of the proposed increase in the marines; I consider it a most judicious step. But I should be sorry, by thus expressing my approval of the number of men voted, to be concluded in the opinion that considerable savings may not be effected in the Navy Estimates. I shall still do my best in the Committee, of which I in common with several hon. Gentlemen, am a member, to point out every saving, not only in the Navy, but in the Army and Ordnance Estimates, which I think, on the principles I have endeavoured to state, can be effected without impairing the real efficiency of any branches of our means of defence. I am more sanguine than my hon. Friend as to the extent of this saving; but I think the Committee will have done their duty when they have sketched the outline of the reduction which in their opinion may safely be effected. I have no doubt the Government are deeply and honestly impressed with the necessity of effecting any reductions which can be made with a due regard to the efficiency of the service, and that they are desirous in this respect to yield to the express wish of the House and of the country. I must say I cannot help thinking, with respect to the distribution of various squadrons, that some saving might be effected without any diminution of our home defence. The hon. Member for the West Riding (Mr. Cobden), if I may be permitted to observe upon what he has stated on another occasion, has dwelt, I think, upon the extent and constant presence of the squadron in the Tagus. Perhaps I may be allowed to state to the Committee what, coming from myself, would be of little value, but, coming from the authority I am about to quote, is really of importance. I well remember Sir Thomas Hardy telling me, as the result of communications between him and Lord Nelson, that the Tagus was to be regarded by this country as the most important naval station in Europe; that for all purposes of general defence a squadron placed in the Tagus is even better placed than at Cork or at Plymouth. It commands the Gut of Gibraltar on the one side; it is open to the Atlantic and the West Indies; it juts finely out as a salient point of departure to all our western possessions on the American shores; with reference to the chops of the Channel, it is most advantageously placed; and, apart from all political considerations, I never can consider a squadron placed in the Tagus except as a squadron immediately available, either for Mediterranean or for Channel service, as the emergency of the occasion may require. Therefore I have no doubt that the Tagus is a great naval position, carefully to be guarded and constantly to be occupied by a British naval force. I may perhaps be permitted to refer to the African squadron, as it has been mentioned by an hon. Member. I believe that that subject is submitted to the consideration of a Select Committee. I cannot help thinking that the decision of Parliament with respect to the policy of the importation of slave-grown sugar is at variance with the maintenance of that squadron in its present force. There are twenty-six ships and 2,700 men now employed on that service. I might also say, and without reference to the policy of this or that Administration, that I cannot help seeing that an enormous expense has been incurred to no useful purpose by the constant presence of a squadron in the Rio de la Plata; a large naval force has been landed there, doing the duty of soldiers, with, I believe, great detriment to naval discipline, and to commercial interests also; and five or six ships of war have been permanently stationed there for the last two or three years. I have glanced at these points; but they are not for this House, or for the Committee, but for the consideration of the Executive Government. I think that savings may be effected in these respects, but not in a day. It requires time. I think in the course of the current year Her Majesty's Government, by looking to the details of the civil service, by passing in review the various stations occupied throughout the world, will find that, without at all endangering our home defence, or our naval superiority, great savings may be effected. But I will detain the Committee no longer. I have said enough. I have, I hope, guarded myself from being supposed to be regardless of public expenditure, or desponding of considerable savings without reducing the efficiency of the service. But with respect to the subject-matter now immediately under discussion, namely, the reduction of the number of seamen and marines, I cannot conscientiously—I cannot without the fear of a pang for the rest of my life—in the present circumstances of this country, consent to the diminution of the number by one single man.

MR. WARD explained that he meant nothing personally offensive or unkind in the allusion he had made to the state of the Navy under Lord Grey's Government to the right hon. Baronet who had just sat down, whom he cordially thanked for the able and impressive speech he had just made to the House. He thought he had guarded himself sufficiently against being understood as wishing in any way to fetter or prescribe the investigation of the Committee which had been appointed by the House.

LORD SEYMOUR opposed the Amendment of the hon. Member for Montrose (Mr. Hume), and thought it would be neither judicious nor desirable to diminish our naval force at the present time.

VISCOUNT INGESTRE said, that connected as he was with the profession which was now under discussion, he begged to say, he was glad to find the tone which the debate had taken. This was not a question on subjects of detail—it was a question of great national policy—the question was, whether they should retain intact the great arm of British power. He would throw out to the Secretary of the Admiralty this advice—not to tamper with the navigation laws. Those laws had promoted the prosperity of our mercantile marine, and the keeping up of the force of the Royal Navy. He concurred in the view taken by the hon. Member for Elgin as to the maintenance of our naval force on the coast of Africa, which he believed to be productive of a great amount of human misery, and which involved a vast outlay of money. Then as to Captain Warner's inventions, he had thought he never should be called upon to refer to it; but when he saw the crisis in which this country was placed, he thought he should be wanting in his duty to his country if he withheld his opinion. He had given the subject his most serious condition, and he solemnly asserted that those inventions, if fostered, might be the means of saving a vast sum of money and of bloodshed to this country. He knew nothing which would so soon stop war as the possession of the secret of these inventions. Why, he would challenge any man to gainsay the fact of the destruction of the ship off Brighton, or that similar results might not be produced against the enemies of this country? The noble Lord read the following letter from Captain Warner to Lord John Russell on the subject of his inventions:—

> "My Lord—I find, from your statement in the House of Commons on the 18th instant, that your Lordship is under some apprehension that this country might be invaded by some foreign Power; your Lordship thinks it advisable to increase the Army and Navy, and to strengthen our fortifications along the whole line of coast. If your Lordship had assented in the last Session of Parliament, to Viscount Ingestre's suggestion, that a Secret Committee should be appointed for the purpose of investigating my discoveries, you would have seen that there would have been no occasion for any further increase or expenditure in the manner now proposed. I am still willing, my Lord, to allow myself to be examined on oath, before a Secret Committee, either in the House of Lords or House of Commons, composed of Members unconnected with either profession. Such a Committee would be an unprejudiced body, and perfectly competent to form a correct judgment of my inventions, for they would have the power of examining on oath as many professional gentlemen as they might think proper. General Sir Harry Smith, who examined some of my inventions in the presence of several noblemen, acknowledged that they would be a most powerful auxiliary to both the Army and the Navy; and I have the best reason for believing that General Viscount Combermere is of the same opinion. There are, besides, many naval officers, of great experience, who would vouch for the truth of what I have stated above. If your Lordship will comply with my request—and this is my last request—I will undertake to prove to the Committee that there might be a saving made in the Naval Estimates alone of 3,000,000*l.* sterling per annum; that the Navy would be a hundred times more powerful than she is at the present time; and England would be for ever safe against any foreign invasion. Let this, too, be thoroughly understood, that I offer to prove this without fee or reward."

He (Lord Ingestre) was perfectly certain that, when perhaps too late, they would find that what he advocated was matter of paramount importance. The noble Lord concluded by condemning the observations which had been made elsewhere by the hon. Member for the West Riding, in allusion to the state of discipline of the Navy at Malta, and defended the service from the imputations which had been cast upon it.

MR. COBDEN: Before proceeding to address a few words to the Committee upon the question immediately under its consideration, I must enter my protest against the doctrine advanced by the right hon. Baronet the Member for Ripon—a doctrine which I once heard propounded by the right hon. Baronet the Member for Tamworth—namely, that the Executive Government is alone responsible for the estimate and expenditure for the Navy. The Secretary to the Admiralty and others have lately taunted this House with having by large majorities voted increased estimates. When Ministers are called to account respecting the expenditure, they throw the reponsibility back upon the House; but when the right hon. Baronet the Member for Ripon wants to find a sanction for the vote which he is about to give, he throws the responsibility upon Ministers. If the Government is responsible for the expenditure of 7,900,000*l.* for the Navy, I want to know what we are sent here for? We may as well walk out and shut the door after us. Now, I maintain this principle, that if we vote the money, we, the Members of the House of Commons, are responsible for it, and no other parties. I protest also against another doctrine laid down by the right hon. Baronet, namely, that Ministers may be in possession of reasons for proposing certain estimates, which it may not be fitting to make known and to have canvassed in this House. I deny that. I say that there can be no secrets now-a-days. I repeat that there are no secrets; but if there be any, let us have them. I want to know the reason why the Government calls upon us to vote this money. So far am I from thinking that any advantage is gained by having our international concerns shrouded in the mystery of the Foreign Office, that I believe very great benefit would result from having every such question discussed in this House, before the country, and before the world. Again, I say, that we have no secrets in these times. Every transaction connected with foreign Governments is known to the whole community, through the daily press, before it is known officially to Ministers. But when we have been called upon to vote large sums of money for the Navy on former occasions, Ministers have not failed to offer reasons to the House to justify the course proposed. In 1837, when the great increase in the Navy Estimates commenced, the Secretary of the Admiralty relied upon the alleged extension of the naval force of Russia. The bugbear of that period was that we were going to have an invasion from Russia. We were told that some foggy morning the Russians would land at Yarmouth; but after the money had been voted, nothing more was heard of Russia. In 1840 the increase of the Navy was based upon our diplomatic embarrassments with France, arising out of the miserable Syrian squabble. In 1842 we were called on to increase our naval force on account of the Chinese war. In 1844 another demand was made upon us, in consequence of a wretched diplomatic quarrel about Mr. Pritchard, at Otaheite; and in 1846 the excuse for another increased estimate was the critical state of our relations with America respecting Oregon. Thus it is apparent that reasons have always been given for an increase of the estimates when it has been proposed. I beg to call the attention of the House to this circumstance, that, although the House has been induced thus step by step to augment the estimates, they are never reduced when the alleged causes of the increase have ceased to operate. What reasons can be assigned for sanctioning a greater expenditure on the present than on any former occasion? No one can assert that we have any danger to apprehend. Bear in mind that these estimates were not proposed after the revolution in France was effected. Let us not mystify ourselves upon this point. These estimates were brought forward when Louis Philippe was on the throne of France. At that time we were told that the estimate was necessary on account of the Montpensier marriage, and because a Bourbon Prince had written a foolish pamphlet to show how this country might be invaded. There is no danger of a dynastic quarrel now, and there is as little danger of a Bourbon Prince leading a hostile fleet to invade England; yet, as if to show the public how hollow were the reasons advanced to justify an increased expenditure, now that France is in the agonies of a revolution, and that the people are too much engrossed with their own affairs to be able even to think of invading England, no proposal is made for reducing the estimates. We have, to be sure, been favoured with the usual general arguments for maintaining our armaments; they are the common stock in trade of Secretaries of the Admiralty. In the first place we are told that our Navy is required for the protection and extension of commerce. I must say a few words about this stale pretence of protecting commerce. How does the Navy protect commerce? Commerce consists of the exports of our manufactures and produce. Why are they exported? Because we can sell them cheaper than other countries can produce them. Ships of war have nothing whatever to do with these transactions; and yet we fill the Mediterranean with them, under the pretence of protecting commerce. It may not perhaps be generally known that the greater portion of our exports are sent out to foreign houses. I will some day move for a return, which can be prepared by our consuls abroad without trouble or expense, to show the number of British resident mercantile establishments in all the ports of the Mediterranean as well as of Spain and Portugal. Few as those houses are, they are constantly diminishing in number. I allude, of course, to the diminution in the number of the English merchants, not in the quantity of our exports. By whom are our merchants superseded? By Swiss, German, and Greek merchants living at the ports of the Mediterranean, who receive our exports there and send them into the interior. These merchants are our rivals, without any naval protection. Can it be pretended that the enormous naval force we maintain in the Mediterranean is necessary to enable our merchants and manufacturers to send their goods to the ports of that sea?

What is commerce to be protected from? Is it against pirates? Why, the extension of steam navigation has done for every coast and island, as regards pirates, what turnpike roads and mail coaches did in England with respect to highwaymen. There is no such thing as a pirate now—[*Expressions of dissent*]—I mean that there are no pirates now who will attack a square-rigged vessel, though I grant that there may be proahs in the Indian sea which attack and plunder the Malays. But why should we keep up such a force as we have now in the Mediterranean? We have there 8,000 seamen—a force 50 per cent greater than the American navy in time of peace. It is said that the Navy is necessary for the protection of our commercial marine; but the Navy costs more than all the profits which our merchants make; nay, I believe the cost of the Navy exceeds the gross value of the freights carried by that portion of our commercial marine which is engaged in foreign trade. How evidently absurd, then, it is to talk of maintaining the Navy for the protection of commerce! I come now to the political part of the question. The Secretary of the Admiralty says we must keep up our Navy in order to maintain a force bearing relation to the naval power of other countries. There are no countries but France and America with which we can for a moment in this respect be placed in competition. We are told that France is increasing her navy very much. I was sorry to hear the tone in which the right hon. Baronet the Member for Ripon spoke upon this subject. He told us that France was increasing her navy, and made that an excuse for the augmentation of ours. It may be very pleasant for hon. Members to talk here of England at all times maintaining the mastery of the ocean; but we cannot suppose that it is equally agreeable to the French and Americans to hear us boasting of our eternal supremacy. It is not unnatural that those nations should desire to be found not altogether defenceless. I have read in the *Moniteur*, which is the *Hansard* of France, the speeches made in the French Chambers upon the question of the increase of the French navy in 1846. The French Government appointed a committee to consider the condition of the navy, and the committee made a report recommending an increase of the navy estimate. When the report came before the Chamber of Deputies, the Ministry, seeing that a majority of the Chamber was bent upon having an increase in the estimate, proposed one greater than the committee had recommended, and even that was augmented by the Chamber, which voted a prospective increase of the estimate to the extent of 93,000,000f. On the 15th of April, 1846, M. Thiers spoke as follows in the Chamber of Deputies:—

> "We pay England the compliment of thinking of her, and her only, when we discuss the question of our navy; we do not trouble ourselves about the fleets which sail out of Trieste or Venice; we think only of the ships which leave Plymouth or Portsmouth. Now, what are the naval forces of England? It is generally said that when she has put forth her greatest strength they have amounted to 100 vessels of the line. If you examine the facts you will find that she has never had 100 vessels out of port; she has had but 80. But on a future occasion I think she would have more—perhaps 100. . . . When you speak of 36 ships in the face of 80 or 100 it seems to me a farce. It is true the Minister has raised the proposition to 44, but even he can hardly be serious. . . . If he had said France will aim at having 60 ships, I should have understood him. I think that with 60 vessels against a nation with 80 or 100, but with a much larger space to cover, it would be possible for us to maintain an honourable struggle."

This circumstance is to be remarked as regards all discussions on this subject in the French Chambers—the speakers never presume to speak of equalling the English naval force; all they propose is to keep within a certain distance of us—to bear some proportion to our augmentations. M. Hernoux, on the same occasion, spoke as follows:—

> "In the great lottery of force and of chance, on which side will the advantage rest? On the side of the most numerous. Now, can we pretend to establish a navy as numerous as that of England? If to-morrow we had 100 vessels, the day after England would have 200."

I will next direct the attention of the House to what was said by M. de Lamartine. All the speakers, it will be seen, take the English Navy as the standard by which their own ought to be regulated; they indulge in gross exaggerations of our force; but we are equally guilty of exaggerating theirs. M. de Lamartine said—

> "England has not less than 700 vessels of war, with which she could cover the two oceans at the command of her Admiralty. Everybody knows that as respects those steamers, with which we think ourselves sufficiently armed in adding 38 to our 72, England has 500 merchant steamboats which she could, in case of war, arm and let loose upon the ocean. . . . I confess that to-day, for the first time in my life, I have thought with susceptibility—I had almost said with jealousy—of England. Yes, at the moment when after three days' debate we are coming to this great vote, I say to myself, and I say to my colleagues, 'It is

> proposed to diminish the budget of the navy, that budget which in all ages has been deemed to belong to the very nature and destinies of France; it is proposed not merely to weaken, but to paralyse the only arm with which we might, perhaps, one day, have to encounter England upon the ocean.'"

Doubtless, these are great exaggerations; but I cannot avoid observing that no attempt was ever made by a British Minister to disabuse the French mind on these points; instead of that the two nations were allowed to go on increasing their armaments one against the other. M. Ducos, addressing the Chamber of Deputies, said—

> "England, which we may be permitted to view, if not as a model at least as a guide—in spite of the 112 vessels of war of from 70 to 120 guns which she keeps afloat—in spite of the immense development which she has given to her steam navy—England still continues to construct more vessels of the largest dimensions. At this moment she has upon the stocks 13 ships of from 70 to 120 guns, besides a considerable number of frigates calculated to carry a powerful artillery. . . . . . God forbid, Gentlemen, that I should so far allow myself to be led away as to demand from France the sacrifices of men and money necessary for the creation of a fleet equal in force to that of England; I know that we are not, like Great Britain, exclusively a maritime Power; but I think I am within the limits of a wise policy in begging the Chamber not to allow itself to be carried away by prospects which, however pleasing, may be deceptive, and are assuredly very far distant. I entreat it not to reduce the number of our vessels whilst England preserves hers, and even augments the number."

It was not unnatural for a French citizen, when he saw us increasing our armaments, to suppose that we meditated a descent upon the coasts of his country. England was not always so pacific as to desire to remain at home. It will be recollected that some years ago the Admiralty adopted the plan of converting four frigates and some line-of-battle ships into steam coast-guard vessels. M. le Baron Dupin, in a report from a Committee to the French Chamber of Peers on the Navy, made on the 15th of June, 1846, after giving a detailed account of the plan determined upon by the British Government, for converting four line-of-battle ships and four frigates into steam-ships, carrying 312 guns and bombs of the largest calibre, concludes with the following observations:—

> "If we compare this destructive force with the most formidable batteries ever employed by armies on land to burn fortified towns, or batter down buildings, we shall know what to think of an armament got up under the inoffensive and defensive designation of steam coast-guard vessels. It is for France an indispensable necessity to complete an armament of the same kind, and of equal force, so that we may have nothing to fear for the future, should it so happen that we have a misunderstanding with England."

This is all I shall trouble the House with on this subject; but it will be seen that these extracts all have reference to the increase of the English naval force. Now, will it be believed, that after having furnished to France an excuse for increasing her armaments, England makes use of that very increase as a pretence for an augmentation of her own. In the following year, namely, in February, 1847, the hon. Member for Sheffield (Mr. Ward) came down with his naval estimates; and, after referring to the report of the French Minister of Marine, he stated that the object of France was to increase her ships from 359—the number she possessed in 1846—to 390. On that occasion, he said he found no fault with France for these things—

> "France did what she thought right and necessary for the maintenance of her position. She set us, in many respects, a noble example. He admired the wise and systematic liberality with which her great naval works had been carried on from year to year, till she had compensated herself for the great natural disadvantages under which she laboured along the whole coast of the Channel."

He then went into particulars of the magnificent works going on at Dunkirk, Havre, Calais, &c.; described the dockyard at Cherbourg, containing 231 acres and 16 building slips; and quoted the case of Brest, whose smithery contained 127 fires, whilst that at Portsmouth had only 48:—

> "These facts," he added, "it appeared to him, ought to be a lesson to us. They imposed a very heavy responsibility on those who were in power in this country—it behoved them to take care, by the proper development of our resources in times of peace, to prevent the balance of power being changed in time of war."

Now, if there is any proof wanting that it is England which, step by step, has led to the augmentation of the naval forces of other countries, it may be found in one illustrative fact. We all know that some years ago we adopted the plan of subsidising certain private shipbuilders to construct a certain number of steam vessels to run to America and the West Indies, and that, on condition they were made suitable for use in war, we agreed to give towards them a certain amount yearly, in order that we should be enabled to take them into our own hands at a valuation when war arose. [Mr. WARD dissented.] Why, was this plan not followed out in the case of the Cunard line of steamers, which were, in the way I have described, liable to be taken at a valuation and paid for? And it is well known that since we adopted that plan, France has imitated our example. We know, also, that the American President this Session has recommended the same plan to be followed in America, and has proposed that 200,000 dollars be set apart for that purpose. Does not all this prove that England is the cause of the increase that has been going on in the naval forces of other countries? Ours is the standard to which they look for measuring their military marine. We are playing a costly game, which children might be ashamed of, for want only of a few words of timely explanation. If it were not so serious a matter, one would be tempted to laugh at the folly which presides over the councils of the greatest nations. What would be easier than for the two countries of France and England to arrest each other in this process of augmentation by the one saying, "If you stop, we will stop, as we do not wish to increase our armaments?" And, I would ask, why is this not done? It is, as I believe, because at head-quarters there is no desire to reduce them. Something has been said of the navy of America, and the right hon. Gentleman has spoken of what I shall not wait to controvert, the republican tendency of going to war, though I may observe that America has now existed as an independent State for about sixty-five years, and she has had just four years of war. The United States' navy estimates in 1845, before hostilities began, were 1,200,000*l*. Now, it must be borne in mind that American commerce bears no insignificant proportion to our own. The amount of their exports last year were about two-thirds of our own; but though they have been at war with Mexico, their estimates for the present year are only 11,000,000*l*. for the whole expenditure of their army, navy, and ordnance, and all their civil expenditure, including the President's salary and the salary of all other civil officers. This is just two-thirds of our expenditure for the Army, Navy, and Ordnance, in a time of peace. Gentlemen look with apprehension to France; but I look to America as the only country on the face of the earth that is permanently affecting our destinies. It is in America that the great economical rivalry is going on with which we have to contend. A noble Lord opposite (Lord Ingestre) has taunted me with what I said elsewhere regarding our Navy in the Mediterranean. I said that our force lying in the harbour of Valetta, in Malta, was described as "slack;" and in so doing I used a word with which the noble Lord is no doubt familiar. That description is one which is perfectly true. Why, what is the mode of disposing of their time in the Mediterranean? For four, or five, or six months in the year, they lie in the harbour of Valetta. I have been there in the winter time, and seen them in the month of November, and again in the month of March. I have seen there as many as 3,500 seamen; and I was told that the scenes of drunkenness going on were truly frightful. I have seen the Jack tars riding about on asses all the hours of the day, and been nearly ridden over by them myself. I have no wish to speak disrespectfully of these men. I blame not them but the system; but I feel bound to say that there is a greater amount of idleness and domoralisation in consequence of that idleness going on in those ships of war, than in any other similar space, You cannot have 700 or 800 idle men in a ship without their being demoralised. Suppose a factory with 800 hands, and that when they came in to the work they always found the steam-engine stationary, and that the machinery and spindles never moved. How long would it be before these people became demoralised under such a system? As to the occupation of our fleets in the Mediterranean, they are laid up during the winter, as I have described, and in the summer they go round the island of Sicily, perhaps, and spend some time at Athens or Smyrna, and come back again to Valetta, there to lie once more for the winter, the superior officers going, if they can get permission, it may be, to Naples or Sicily, and leaving the lieutenants to employ the men in doing little more than hoisting up the sails and pulling them down again. Indeed, they have the greatest difficulty in keeping them employed. I have told you what is the ordinary routine of your force in that part of the world; and I tell the Gentlemen who oppose me, to contradict the facts if they are able, and to say where our vessels are, for example, from November to January, and where they are in the months of May, June, and July. "But," says the right hon. Baronet (Sir J. Graham), "we are opposed by the opinion of Lord Nelson, who held that the Tagus was a capital place for our fleet to lie in." I do not hear it stated, however, that our fleet is or was there because Nelson said it was a good place from which to get to the West Indies, or through the Gut of Gibraltar, but because the Foreign Secretary thought it would be more at the command of the Court of Lisbon. Accordingly, there they are, lying in the Tagus; and I will ask, can anything be more demoralising than that so many men should be kept for so long a time in such a climate and in such a state of society? Those who have been in Lisbon will admit that it is not the purest of all spots for 4,000 or 5,000 men to be living idly in. I have seen it stated, and indeed it is a current joke, that one of these line-of-battle ships had been lying so long in the Tagus, that it ultimately went aground on the beef bones thrown over the side. Now, I say we have no right to tax the artisans and people of this country—the people who consume your sugar, and your coffee, and your tea—to send a fleet larger in force than the whole American navy, to lie for a year in the Tagus at the disposal of the Court of Portugal, and doing harm instead of good. The greater part of that squadron has now, I believe, been ordered off. I do not know if the broadside lately given at Manchester had anything to do with the proposed dispersing of that armament in Portugal, but it has been ordered to disappear very suddenly; and I will just ask if this does not afford a proof that we have more men than we require when we can dispense with that fleet in Portugal? I come now to the question as to the amount which you are requested to vote for our naval expenditure. And here let me say, that I believe the Government, in proposing this vote, is not more to blame than are the electors of the country. I look with a very candid eye to this question. I was the first to raise a cry four months ago on the subject, and I found myself censured on all hands. I will do Ministers the justice to say that I was censured on all hands in the newspaper press, and among public men, who I thought sympathised with the views I generally held. They did not, however, sympathise with me in this matter; but when the Ministers brought in the Bill for an increase of our armaments, in the shape of an increase of the income-tax, then they turned round and denounced them as a profligate Ministry. Now, I think the Ministry have been ill-used in this respect; but I take no blame to myself. When the Navy was at its lowest, in 1835, I began my public career by writing pamphlets to show how unnecessary the expense then incurred was; and I have maintained the same doctrine since. But we now come to the question, how shall we raise this money? You proposed, in the first instance, to raise it by an increased income-tax. Now, I will frankly say to the country, and will not flatter anybody on such a subject, that if the expenditure is increased and the money must be had, I will vote for its being paid by the men who have incomes of 150*l.* rather than consent to its being raised by the working classes. I believe the mass of the people have no fear of any invasion —they laugh at the idea of such a thing. Your peasant working at his plough, and your weaver at his loom, have no fear of it. It is the other classes who are always asking for this increased protection; and if they want it they must pay for it. What a lesson is now being read to us all over Europe! Every day the post brings accounts of the march of revolution; and what is the primary cause of this? No doubt the burdens of the people. The primary cause is the suffering of the people. It would have been better if they had had the reasoning power to avert the burden in another way rather than be led to revolution; but there is no doubt that the great cause has been the heavy expenditure, particularly for the Army, Navy, and Ordnance. Mr. C. Sumner, of the United States, has published a work to prove that the standing armaments of Europe cost 200,000,000*l.* a year, and that they withdraw upwards of 2,000,000 in the flower of manhood from industrious occupations. He estimates, also, their labour at 50,000,000*l.* more, making a total loss of 250,000,000*l.* to Europe. Could anything but disaster and suffering flow from such a state of things? Looking at the middle ages we find the monastic system then in full operation—great numbers were shut up in cloisters; and much of the distress which fell on the people we attribute to such a state of society. But I wish to know the difference between keeping 2,000,000 or 3,000,000 of people in black cloaks in idleness in convents, and keeping 2,000,000 or 3,000,000 in red coats in barracks. In either case they must be supported. And I am anxious that in this country we should take the matter in hand in time. I believe our greatest danger is to be apprehended from financial difficulties. You talk of borrowing from the balances in hand. They must go to borrow from the Bank. Then the Bank, in distress, is obliged to press upon the commercial interest. Most of our panics, I believe, have arisen from the illicit commerce between the Bank and the Government. You are in danger of a bad harvest. That is always on the cards. Your danger from foreign invasion is nothing as compared with the danger from your own finances. The danger is not from a falling-off of revenue, but from your inordinate expenditure. I wish hon. Gentlemen, when they brace up their courage against foreign foes, would at the same time have courage to face their own difficulties. I have no fear of invasion. Nobody, I believe, thinks of molesting us. If we can only increase the number of prosperous people, and diminish the number of paupers, and, at the same time, of sailors, you will be stronger than you are by your present course in augmenting your armaments at the expense of the prosperity, ease, and comfort of the mass of the population.

Admiral DUNDAS: I think it my duty publicly to contradict the statement made by the hon. Member for the West Riding of Yorkshire with respect to the discipline of the Navy. I have a letter from Vice-Admiral Sir William Parker, the Commander-in-Chief in the Mediterranean, in which he refers to a statement attributed by the hon. Gentleman to the American Consul at Malta. Sir William Parker says, "The American Consul has written to me to say that he has not seen Mr. Cobden at Malta for ten years." Sir William Parker is perfectly at a loss to name what ship the hon. Gentleman complained of as lying at Malta during his cruise to Naples and back again. I am confident there are not ten men in this House who believe what was said by the hon. Gentleman of the discipline of the Navy to be a correct representation.

Mr. COBDEN: The gallant Admiral tells you what is perfectly true, that it is ten years since I was in Malta. It is perfectly ridiculous for a man so notorious in his movements as I have been to think of mis-stating the time when I visited Malta or any other place. Why, I believe, that in every town I was at I was chronicled in the newspapers. But I was at Malta in the winter of 1836 and spring of 1837. Don't tell me of the characters of gallant admirals. They are all admirable. But I ask whether my facts are correct? The American Consul will not deny that he went in the same steamer with me from Malta to Gibraltar; that we were four days in the same vessel. We hear too much in this House of the conduct and character of this gallant service. I look on the service as a profession. They don't work for nothing—for we are talking of an estimate of 7,000,000*l.*—I look on its members as on the members of any other profession—a barrister or physician. As they are in the service of the country, you have a right to criticise their movements as you have those of others. It will save future discussions if I let hon. and gallant Members know how I appreciate them. If they set themselves up as the service, *par excellence*, and think they are to be free from all remark, I have only to say that I hold a different opinion.

Admiral DUNDAS would only observe that his attention having been attracted to the statement made by the hon. Member for the West Riding, he knew that a ship of war could not have remained so long at Malta as the hon. Member asserted. He took the trouble of making an extract from the speech of the hon. Member, delivered on the 27th January of this year, and the words were as follows:—

> "I was at Malta at the commencement of the winter, in November. A ship anchored there from Portsmouth, whilst I was there, with a thousand hands on board. I went thence to Egypt and Greece, and on my return to Malta there she was still—her captain had gone ashore to live at the clubs, and the lieutenants found the utmost difficulty in finding anything to do. It was lamentable to see the shifts they were put to—letting loose the sails, hoisting them up again, and scrubbing the decks, till one would think they'd scrub holes in them. I was introduced to the American Consul when I was at Malta, and we conversed very freely upon the subject. He said, 'I consider your Navy very slack.' 'Slack,' I said, 'what do you mean by slack?' 'Oh,' he replied, 'too idle; they can't be in good order if they are allowed to be idle in this way three or four months at a time. We have three ships in the Mediterranean, but my instructions are never to let them come into port at all. There they are—up one side, down the other—always in motion.' The consequence is, that the American ships are in a far better state of discipline and equipment than the English ships are."

Now this American Consul wrote to Sir William Parker to say that he had had no communication with the hon. Member for ten years. If the hon. Member for the West Riding had candidly said, in the first instance, that it was ten years ago when he met the American Consul, there would have been no misunderstanding; but he had not done so. It was not to be supposed that the remarkable assertion of the hon. Member could pass without observation. He had himself proposed in that House that the log of the ship alluded to should be sent home to this country, and the Admiral reprimanded for keeping her so long stationary. But the hon. Member had not said a word about its being ten years ago. He had talked of the orange groves at Lisbon in the month of January, and the skulking hole at Malta, and had abused the Navy accordingly upon that text.

COLONEL TYNTE could not remain silent, because he thought the British Navy had been maligned by the statements of the hon. Member for the West Riding. He had just seen a relative of his who had arrived from Lisbon last night, and who had been on board these greatly calumniated vessels in the Tagus. It was well known that British sailors never complained of doing their duty, but his relative stated that they were kept in constant exercise every way; they were never idle, and the squadron of Admiral Napier was remarkable for the dexterity in exercise and efficiency of the ships. He must say, this was not exactly the time to reduce the British Navy. Had not the hon. Member seen the statements as to the naval armaments of France? Had he not seen the circular from the French Minister of War, which declared, "although there is every reason to hope that the friendly relations between France and foreign Powers will not be disturbed, measures have been taken for concentrating towards the frontiers a considerable number of troops, sufficent for every contingency; and that every regiment of infantry would be augmented by one company; thus providing for an enormous augmentation of the military forces of France.

VISCOUNT PALMERSTON said: Sir, I do not rise to defend the British Navy: "the blood of Douglas can protect itself." The high character which the British Navy has acquired, and the brilliant discipline for which it is perhaps more remarkable now than at any former period, will secure it the admiration and respect of all, even though their acquaintance with it may not be ten years old, and whose memory, therefore, need not deceive them as to what they have seen or done during that long period. With respect to the question more immediately under our consideration, I shall not go over the ground which has been so ably trodden by those who have preceded me on both sides of the House, as to the reasons which have led to that progressive augmentation of the charge of the Navy which has been observed upon by those who have found fault with the present vote. It has been sufficiently explained that that progressive increase has arisen partly from the necessity of supplying stores which had been consumed in the annual expenditure of the service without any corresponding augmentation having been from time to time made, and partly from that great and extraordinary change which the introduction of the use of steam in the propulsion of vessels has necessarily made in the construction and equipment of a portion of our maritime force. Sir, that increase, whatever it may be, is not greater than the increase which was made during the corresponding period in the expense of the navy of France. And when I am told that we are not to look to what other nations have done in regard to their naval establishments, the answer is given by the hon. Member who has just spoken, who has repeated to us the statements upon which the preparations made by the Government of France for the augmentation of their naval and military forces are founded. I happened to be present at those very debates in the French Chambers from which the hon. Member for the West Riding read extracts; but the plain dictates of common sense, by which all nations must govern their conduct, is, that they must proportion their defensive means even in times of peace, in some degree at least, to the state of preparation in which other nations may be with whom they may by possibility, in given and contingent events, be drawn into a war. There is nothing offensive in that mode of proportioning one's state of preparation; there was nothing offensive when the French Chambers made the state of the British Navy the measure by which they were to proportion the extent of their own naval means; there can be no indication of any aggressive or offensive intention on the part of England, when we consider that we are to proportion the amount of our naval resources to those which other great naval Powers may possess; such Powers, I mean, as the United States, France, and Russia. I apprehend it has been shown that neither in the amount of stores, nor in the number of our sailing ships or steam ships of war, have we gone beyond that which a mere prudent regard to our own requirements and the necessities of the service may point out. It has been well observed that in defending the proposed amount, we are not to rest our arguments entirely on the existing state of things, which has arisen since the estimates were presented to the House. I am perfectly willing to admit the force of that assertion; but when we are asked why it is that our extended commerce requires increased means of naval protection, I must protest against the manner in which the hon. Member for the West Riding has endeavoured to represent the subject; that our commerce finds no protection from the Navy, and that it would go on just as well without any naval protection whatever. Year by year our merchants are seeking for new markets; year by year we are not only pushing our commerce into fresh markets, but with our commerce follow our British residents. There is hardly a place of any commerce in the world in which progressively British subjects do not establish themselves; and, wherever they do establish themselves, they are perpetually, according to the varying circumstances in which they are placed, calling for the protection of our naval forces. Hardly a post comes that does not bring me, from some portion or other of the globe, complaints of British merchants, who state that for months and months they have not seen a British cruiser—that they are forgotten and neglected by their Government—and that they require the protection or occasional presence of the British flag. It is not from pirates that our merchants require to be protected, nor is it from any actual hostilities; but we all know that in countries where Governments are unstable or weak, there is a perpetual disposition in local authorities to misuse their power, and act offensively or unjustly towards foreign merchants, and especially our British merchants, who, having larger concerns, are considered a rich and easy prey. In this manner it constantly happens that the presence of a British cruiser is necessary either to protect our merchants from oppression, or to obtain for them reparation when injustice or oppression have been committed. It is, therefore, not merely from the extent of our colonial possessions, but from the annual increase of our trade, that additional naval protection is required in almost every part of the world. But the argument of the hon. Member for the West Riding would go to show that we might dispense altogether, not only with our Navy, but with our Army, and even the police we see in the streets. He says, what is the use of our ships of war? They lie in harbour, and do nothing; officers are puzzled what to do with their men; they hoist their sails at one moment and lower them at another; they scrub the decks and clean them; and of what use are they? If the hon. Member had exercised his ingenuity further, he might have given us a similar picture of English soldiers in their barracks. If it be a good argument, that because ships of war are not always employed in hostile operations, therefore they are of no use, by the same reasoning you might prove you have no use for any troops, because they are employed merely attending parades, in cleaning their accoutrements, keeping their arms in good order, and marching about under the leading of drill sergeants. In the same manner he might say, what is the use of all those men in blue coats, whom I see all day lounging about the streets with their hands in their button holes, who seem to have no earthly occupation but to stare decent people out of countenance, and watch everybody who stops for a moment to look in at shop windows? When the hon. Gentleman talks of childish arguments and puerile reasonings, I must say I think the line of argument by which he has endeavoured to show that a navy in time of peace is of no use, is not likely to have much weight either in this House or with any reasonable man in the country. But the hon. Member calls as judges of his argument, not men who turn their minds to the condition of the country—not men informed by knowledge, or who have enjoyed the benefits of sound instruction, which would enable them to judge of these matters—he calls on the ploughman and the weaver. He says, forsooth, there is no real danger of invasion, because there is not a ploughman who thinks it possible; and the weaver at the loom is unconscious of any danger which can interrupt the pursuit of his vocation. I must say, I do not appeal to that tribunal; and cannot say, because ploughmen and weavers do not believe invasion possible, that, therefore, we are to strip the country of all the defence which an army and navy constitute, and that we are to rest in security on the vaunted protection which the all-potent doctrines of free trade may afford us. Sir, those doctrines I have often myself praised as doctrines tending to peace, and which give to peace additional guarantees; but they are not doctrines whose influence and effect can be safely substituted for the more material and physical protection derived from the thews and sinews of our brave soldiers and daring seamen. The right hon. Baronet the Member for Ripon (Sir J. Graham) has adverted in terms highly becoming, impressive, and deserving the attention of the House, to the state in which Europe now finds herself. The right hon. Baronet has said, he trusts no Member of the Government, in addressing the House upon this subject, will depart from that reserve which is becoming his official position. The hon. Member for the West Riding, on the contrary, exhorts us to speak openly of every matter of policy; to have no secrets—I think he said—which it may be interesting for the House or the country to know. We have no secrets of State; it is not in days like these that rational persons can expect to meet with them. It is not upon matters which are secret that we wish to rest our proposition, but upon grave considerations affecting the present state of public affairs. The things that are passing in the world are notorious to all mankind; and if any reasonable or reflecting man in this House would have thought, a month or six weeks ago, that the force we were proposing to Parliament was greater than the ordinary exigencies of our situation required; yet, surely, in the general state of affairs—after events which I trust may not prove to be of the character they assume to the apprehensions of some men, but still with a future before us big with uncertainty—however we may hope or wish that it may eventuate in peace, he would no longer deem our proposition extravagant. I can assure the House, that, whatever influence the Government of this country may be able to exert, that influence will be exerted most urgently and impartially in endeavouring to inculcate the doctrines of peace upon all who may be disposed to listen to our advice. But if any man wishes that the voice of this country should carry with it due weight, then this country ought to be in a condition independent of any fear or alarm. It is not for a country that is weak or powerless to expect that any other Government or nation will listen to its appeal for peace. You must show that you are not seeking for peace out of timidity or fear—you must be able to show, that if you seek peace—if you counsel peace—it is because you think it consonant with the interest, the advantage, the well-being of all countries. It must be from your love of peace itself, and not from any fear of consequences to yourselves that you must argue, if you wish your counsels to be attended by successful results. I can assure the House that not only is it the anxious desire of Her Majesty's Government that this country should continue to enjoy the inestimable blessings of peace, but it will be no fault of ours, so far as we may offer counsel or advice to others, if England should be involved in the calamities of war. No man in these days can venture to play the part of a prophet; events have followed each other with such wonderful rapidity, that one can hardly venture to anticipate the results of the ensuing week; but, at least, I am sure the House will not think this a moment at which they can divest the Government of England of those means which we proposed at the beginning of this Session to place at the disposal of the country.

CAPTAIN HARRIS said, the hon. Member for the West Riding of Yorkshire had been set forth in a supposed Ministerial programme, which had been published in one of the periodicals of this country, as the First Lord of the Admiralty. The hon. Member had been called by a variety of designations, such as "free-trade philosopher," and such like; but there was one title which had not been given him, and that was, "the libeller of the Duke of Wellington," and he thought no Member of that House could be supposed as expressing the feelings of a people—of a country—which that illustrious man had saved, and whose services were appreciated by that people, when he traduced such a character. The hon. Member's attacks on the Navy had been already so well answered by the First Naval Lord of the Admiralty and hon. Friends at his own side of the House, that it was unnecessary for him to refer to them.

MR. BRIGHT had listened to the speech of the noble Lord the Foreign Secretary, and as the noble Lord spoke, the impression crossed his mind that it was very much like the sort of speech that had been delivered by noble Lords and hon. Gentleman holding that office in that House for the last sixty years. He wished to recall the attention of the House to what really was under its consideration, namely, to say whether they were now to vote this enormous sum without reduction; and in point of fact, whether that Committee was to give its sanction to a policy that had been followed for so many years, of perpetually increasing the military expenditure of the country. Now, what was that expenditure at present? All that was paid for the debt, and all that was now paid for the Navy, Army, and Ordnance, was an expenditure which had arisen from the warlike propensities which had been so much gratified by Executive Governments, and by the people of this country in past times. That formed almost the whole of the expenditure of this great empire. No less than 47 millions annually were paid, either for wars that had already passed, or in preparation seemingly for wars that were expected. The noble Lord inquired how this country could expect to have any influence with foreign countries, unless she were in a powerful position with respect to her military armaments? Why, there were two answers to that question: first of all, the noble Lord did not consult the true interests of this country if he thought it his duty to hold the balance of power and interfere with the arrangements of Continental States; and the other answer was this—the United States of America were powerful and independent, or they were not. Had not the United States obtained from France, within a few years, the restoration of rights and payments which France for a long time had refused? Did not the United States obtain from this country a settlement of the Maine boundary question and the Oregon question? and yet the United States had an army and navy, or had, until hostilities broke out with Mexico, which were quite ridiculous in amount when compared with the enormous armaments of this country. But there was one point to which the noble Lord had not turned the attention of the House, and he believed that the hon. Gentleman the Secretary to the Admiralty had been equally unmindful of it. He asked where the money was to come from? True, it was argued at the table of that House, that because certain information had been received as to foreign affairs—because France or any other country was increasing its armaments, therefore our armaments should be increased. But there was a limit which they were approaching, and which, if they passed, they would bring on themselves unfortunately more mischief from the internal condition of the country, than they had any reason whatever to expect from any increase of foreign armaments as compared with our own. Let them observe the discontent that had existed in the country for the last three months, since the estimates had been proposed by the Government, and since the proposed increased taxation. The people of this country, unfortunately, were not half alive to the monstrous extravagance which Government entered into. They were not half alive to the necessity of resisting, by all constitutional means, incessant additions to our taxation. It was not because the Government asked for an estimate of 500,000*l.* more than last year—nor because they asked for 2 per cent addition to the income-tax, that discontent had arisen against the Government, and which had not existed, in the same degree, he would venture to say, against any other Government for a very long period of years. It was because the people were suffering, their means exhausted, and their industry paralysed, and because from the highest almost to the lowest class there was difficulty and general suffering. The noble Lord and the Secretary to the Admiralty might preach from the table of that House; but they would not avoid some of those troubles that had visited foreign countries from extravagance and improvidence on the part of Governments. He would ask the noble Lord at the head of Foreign Affairs whether he had ever sent an Ambassador—whether he had ever sent an Envoy Extraordinary or Minister Plenipotentiary to any foreign State whatever, with a direct and tangible proposition to persuade that Government along with our Government to a material and instant reduction of the burdensome military expenditure? No, nothing of that kind had been done in any honest or earnest spirit yet. There could be no doubt that France, and Russia, and Prussia, and Austria, like this country, were actually sighing for a diminution of expenditure, and for some relief from the almost intolerable burden. But if the noble Lord the Secretary for Foreign Affairs looked more to the advantage of the country than to the exaltation of his office—he did not blame the noble Lord as being worse in that respect than those who had preceded him; but he could imagine the noble Lord entering into a correspondence with intelligent Ministers in foreign countries for the purpose of bringing about such reduction of expenditure as that to which he had alluded, and such as this country would enforce before any very long period. He would be sorry to say a word that would be annoying to a single Member in that House; but when he remembered that there were about 150 Members who were themselves directly engaged in that military expenditure—who were engaged either in the Army or Navy; he was not surprised at all, notwithstanding that they repudiated any matter of money in connexion with the service—he was not surprised that they should oppose those things of which he had spoken, and that what he was saying should be unpalatable. That House represented the people of England; and if they held the purse-strings of that enormous taxation which was extracted from the industry of the people of this country—and he knew no more solemn and no more onerous duty that could devolve on any Member of that House—he then protested against an expenditure which he believed to be excessive, and an expenditure which was creating the deepest discontent through all classes of the industrious people of the kingdom.

MR. HENRY DRUMMOND: Hon. Members may rest assured that I shall not occupy the time of the Committee but for a very few minutes, because I am perfectly aware of the indecency of any person rising after a Minister of the Crown has concluded the debate. Such at least was the practice when I was a Member of the House before. When I hear a great number of Gentlemen belonging to a profession, of which I myself am not a member, charged with selling the interest of their country, for their own personal aggrandisement, I must rise up to say, that you are upon the very verge of carrying into your military condition, and into the very existence of the country, the principles of the very same school which has ruined you in every other way. Now, other occasions will arise, and I am determined to trace through their whole ramifications the doctrines of that school. You have been taught to consider the interests of the master cotton spinners as identical with the interests of England. For this you sacrificed the interests of the cotton operative; for this you sacrificed every other interest in the country; for this you sacrificed the colonies; and those Gentlemen not content with these, do now come forward with most inordinate presumption, and sneer at Ministers, because forsooth they hold the doctrine that every Minister of State has ever held concerning every country in the world which a Minister of State was ever called upon to guide, and they require us to put away all those maxims and that policy which all former years and all countries have shown to be the maxims and the policy of common sense, Why, according to these Gentlemen, if Cain had only been a cotton spinner, he would never have thought of knocking his brother Abel on the head. But, Sir, other opportunities will occur for me to enter more at large into these subjects; I shall therefore conclude by saying, that I entirely agree with the hon. Member for Montrose in the distrust I entertain for all Ministries. I say with him, but in the language of a greater man than either of us, that "confidence is a plant of slow growth in an aged breast." I confess I mistrust all Ministries—most of all do I mistrust a Government composed of poets and astronomers — a Government which calls to its aid the very last counsellors I should ever consult—counsellors, nevertheless, which have been recommended by the hon. Member for the West Riding of Yorkshire to my noble Friend—consisting of a body of 900 illiterate paupers. I mistrust not the men, but I mistrust their power to rule. I mistrust the fact that they have any power at all. I certainly do not believe that you are in any danger of foreign invasion so long as you show that you have power and determination to resist it, but not one minute longer. I certainly do anticipate many things which I will not speak of now; but I do conjure this House not to believe for an instant that these naval and military establishments are kept up merely for the sake of the genteel classes, as it has been said, but to mistrust all counsel of that kind, and coming from that quarter, for of this the House may rest well assured, that the Throne cannot stand upon cotton, nor can the Queen sit on a "spinning jenny."

SIR H. VERNEY protested against the insinuation made by Mr. Smith O'Brien in Ireland, that if orders to fire upon the people were given, the soldiers would fire upon the officer who gave the word of command. He believed that there never was a more loyal body than the British Army of the present day, and there were none more ready to do their duty than the Irish Roman Catholics in the service. With regard to the advice given by the hon. Member for the West Riding to withdraw the ships from foreign stations, he believed there was not a British merchant who would not rise up and protest against his doctrine, for they all felt that the safety of their commerce depended upon the protection afforded by the Navy of this country.

MR. HUME replied, and denied that the object of his Motion was, as many hon. Members had assumed it to be, to destroy the Navy. He had merely proposed to fix it at 36,000 men, which was the greatest number that had ever existed from 1816 to 1844. Had anything occurred to render a greater number of men necessary now than there was during that period? All he proposed was to disband the squadron on the African coast and that in the River Plate, both of which were worse than useless, and to leave every other ship untouched.

On the question that the number of men be 36,000,

The Committee divided:—Ayes 38; Noes 347: Majority 309.

List of the AYES.

Aglionby, H. A.
Alcock, T.
Bouverie, hon. E. P.
Bowring, Dr.
Bright, J.
Brotherton, J.
Crawford, W. S.
Duke, Sir J.
Duncan, G.
Fagan, W.
Gardner, R.
Greene, J.
Hall, Sir B.
Henry, A.
Hindley, C.
Kershaw, J.
King, hon. P. J. L.
Lushington, C.
Meagher, T.
Molesworth, Sir W.
Mowatt, F.
Pearson, C.
Pilkington, J.
Raphael, A.
Salway, Col.
Scholefield, W.
Smith, J. B.
Stuart, Lord D.
Sullivan, M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Urquhart, D.
Wakley, T.
Walmsley, Sir J.
Williams, J.

TELLERS.
Hume, J.
Cobden, R.

List of the NOES.

Abdy, T. N.
Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Alexander, N.
Anson, hon. Col.
Anson, Visct.
Anstey, T. C.
Archdall, Capt. M.
Arkwright, G.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Ashley, Lord
Bagshaw, J.
Bailey, J., jun.
Baillie, H. J.
Baldock, E. H.
Barkly, H.
Baring, rt. hon. F. T.
Baring, T.
Baring, hon. W. B.
Barnard, E. G.
Bateson, T.
Beckett, W.
Bellew, R. M.
Benbow, J.
Bentinck, Lord G.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Birch, Sir T. B.
Blackstone, W. S.
Boldero, H. G.
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Bramston, T. W.
Brand, T.
Bremridge, R.
Briscoe, M.
Broadley, H.
Brockman, E. D.
Brooke, Lord
Brooke, Sir A. B.
Bruce, C L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, E. H.
Burghley, Lord
Busfeild, W.
Cabbell, B. B.
Campbell, hon. W. F.
Carew, W. H. P.
Carter, J. B.
Castlereagh, Visct.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cayley, E. S.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Christy, S.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Cochrane, A.D.R.W.B.
Cocks, T. S.
Codrington, Sir W.
Coke, hon. E. K.
Cole, hon. H. A.
Colebrooke, Sir T. E.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Corbally, M. E.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Currie, H.
Currie, R.
Damer, hon. Col.
Dawson, hon. T. V.
Deering, J.
Denison, W. J.
Disraeli, B.
Dod, J. W.
Dodd, G.
Douglas, Sir C. E.
Douro, Marq. of
Drummond, H.
Drummond, H. H.
Duckworth, Sir J. T. B.
Duff, G. S.
Duncan, Visct.
Duncombe, hon. O.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
East, Sir J. B.
Ebrington, Visct.
Edwards, H.
Egerton, W. T.
Ellice, rt. hon. E.
Ellice, E.
Elliot, hon. J. E.
Estcourt, J. B. B.
Evans, W.
Farrer, J.
Fellowes, E.
Fergus, J.
Ferguson, Col.
Ferguson, Sir R. A.
Ffolliott, J.
FitzPatrick, rt hon. J.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Floyer, J.
Forbes, W.
Fordyce, A. D.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, S. W. L.
Freestun, Col.
Galway, Visct.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Glyn, G. C.
Gordon, Adm.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granby, Marq. of
Greenall, G.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grogan, E.
Grosvenor, Lord R.
Haggitt, F. R.
Hallyburton, Lord J. F.
Hamilton, Lord C.
Harris, hon. Capt.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayes, Sir E.
Hayter, W. G.
Headlam, T. E.
Heald, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Herries, rt. hon. J. C.
Heywood, J.
Hildyard, R. C.
Hodges, T. L.
Hodges, T. T.
Hood, Sir A.
Hope, Sir J.
Hope, H. T.
Hornby, J.
Horsman, E.
Hotham, Lord
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Hutt, W.
Ingestre, Visct.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, J.
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Jones, Capt.
Keppel, hon. G. T.
Ker, R.
Knox, Col.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lincoln, Earl of
Lindsey, hon. Col.
Loch, J.
Locke, J.
Long, W.
Lowther, H.
Mackenzie, W. F.

Macnamara, Major
M'Gregor, J.
M'Naghten, Sir E.
M'Taggart, Sir J.
Magan, W. H.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Manners, Lord G.
March, Earl of
Marshall, W.
Martin, C. W.
Masterman, J.
Matheson, A.
Matheson, J.
Matheson, Col.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Melgund, Visct.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Moody, C. A.
Morpeth, Visct.
Morison, Gen.
Morris, D.
Mulgrave, Earl of
Mure, Col.
Napier, J.
Noel, hon. G. J.
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, Sir L.
O'Connell, M. J.
Oswald, A.
Owen, Sir J.
Packe, C. W.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Pennant, hon. Col.
Perfect, R.
Peto, S. M.
Philips, Sir G. R.
Plowden, W. H. C.
Power, N.
Pusey, P.
Rawdon, Col.
Rendlesham, Lord
Renton, J. C.
Repton, G. W. J.
Reynolds, J.
Ricardo, O.
Rice, E. R.
Rich, H.
Richards, R.
Romilly, J.
Rushout, Capt.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Sadleir, J.
Sandars, G.
Scott, hon. F.
Scrope, G. P.
Seymer, H. K.
Seymour, Sir H.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sibthorp, Col.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smyth, J. G.
Smollett, A.
Somers, J. P.
Somerville, rt.hn.SirW.
Spearman, H. J.
Spooner, R.
Stafford, A.
Stanley, hon. E. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stephenson, R.
Strutt, rt. hon. E.
Stuart, H.
Stuart, J.
Sturt, H. G.
Sutton, J. H. M.
Tenison, E. K.
Tennent, R. J.
Thompson, Ald.
Tollemache, J.
Townley, R. G.
Townshend, Capt.
Trelawny, J. S.
Trevor, hon. G. R.
Trollope, Sir J.
Turner, E.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Verner, Sir W.
Verney, Sir H.
Vesey, hon. T.
Vivian, J. E.
Vivian, J. H.
Vyse, R. H. R. H.
Walpole, S. H.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Willcox, B. M'G.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt hon. Sir C.
Wood, W. P.
Worcester, Marq. of
Wyld, J.
Wyvill, M.
Yorke, H. G. R.

TELLERS.
Tufnell, H.
Hill, Lord M.

Original Motion agreed to. House resumed. Chairman reported progress.

House adjourned at a quarter past One o'clock.

HOUSE OF LORDS,

Tuesday, March 21, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.

PUBLIC BILLS.—2^a Administration of Oaths, &c., Court of Chancery.

PETITIONS PRESENTED. From the Royal Burgh of Stranraer, for the Amendment of the Scottish Prisons Act.—From Saint Florence, Penally, and Manorbean, against the Admission of Jews into Parliament.

ELECTION OF REPRESENTATIVE PEERS FOR SCOTLAND.

The EARL of EGLINTOUN reminded their Lordships that an Act had passed last Session for the purpose of correcting certain abuses that had taken place at the election of the Representative Peers of Scotland. At the last election, which took place at Holyrood House, on the 8th of September, a person attended and proposed to give his vote under the title of Lord Colville of Ochiltree. That vote was protested against, pursuant to the Act of Parliament, by several Peers present, and he now begged to move that the individual who had so tendered his vote be required to establish his claim before the House, and that a notice be served upon him to attend before their Lordships for that purpose, on Tuesday, the 11th of Aprill next.

Agreed to.

House adjourned.

HOUSE OF COMMONS,

Tuesday, March 21, 1848.

MINUTES.] NEW WRIT.—For Aylesbury, *v.* John Peter Deering, Esq., void Election.

NEW MEMBER SWORN.—For Lincoln City, Thomas Benjamin Hobhouse, Esq.

PETITIONS PRESENTED.—By the Earl of Arundel and Surrey, from the Roman Catholic Clergy and Laity of Keighley (Yorkshire), in favour of the Roman Catholic Relief Bill.—By Mr. Houldsworth, from Members of the Congregation of Pepper Street, New Basford (Nottinghamshire), against Increase or Continuance of the Property Tax.

NEW WRIT—BEWDLEY.

MR. FORBES MACKENZIE moved for a new writ for the borough of Bewdley, in the room of Mr. Ireland, whose election had been declared void.

MR. TATTON EGERTON did not wish to object to the Motion, but he rose for the purpose of directing the attention of the House to the fact that the Committee had presented a special report in this case, and it was for the House to declare whether, under such circumstances, a writ ought to issue forthwith. It was for the House to determine whether the vicious system of tampering with voters, and treating them to a very large extent, which appeared to have been followed both at the last election and at the previous election for that borough, ought to continue. It appeared from the report of the Committee that large bodies of men had been brought down at the late election for the purpose of assisting in protecting the voters—that every public-house in the town had been kept open, and a system of treating carried on to such an extent that the cost amounted to several hundred pounds. As he understood that the expense of printing the report and evidence would be very large, he did not wish to make a distinct Motion in this case, but he thought it was well worthy the consideration of the House whether some steps should not be taken for the proper protection of the exercise of the elective franchise.

Mr. HUME read a passage from the special report of the Committee confirming the statement made by the hon. Gentleman who preceded him, and said he should move that the writ do not issue until the evidence be printed.

Mr. F. MACKENZIE would not press for the issue of the writ under the circumstances.

Motion withdrawn.

THE EX-ROYAL FAMILY OF FRANCE.

Mr. CHARTERIS begged to ask the noble Lord the Secretary of State for Foreign Affairs whether it were true, as reported, that the Marquess of Normanby, acting on instructions which he had received from the Foreign Office, had gone to M. Lamartine to apologise for this country having afforded an asylum to the Royal Family of France. He wished to state that he did not believe that the rumour had any foundation in fact, but he thought it was desirable that the noble Lord should have an opportunity of contradicting such a statement.

Viscount PALMERSTON: There is no foundation for the statement that any communication of the kind to which the hon. Member has alluded has taken place, or has been sent from me to Lord Normanby, or through any other channel, in regard to the Royal Family of France. It is, however, true that Lord Normanby conveyed in a private letter to me a statement that misapprehension and some degree of jealousy were likely to arise on the part of persons in France in regard to the reception which might be given in this country, not to the Royal Family of France, but to the late Ministry of the French Government; and I, in a private letter, desired Lord Normanby, in case of any such feeling being expressed to him, to state that the reception given to these persons was, and would be, the reception always given by this country to men who, from unfortunate circumstances, found themselves obliged to seek any asylum among us—the reception of hospitality; but that in all dealings with the French Government Her Majesty's Government would act honestly, fairly, and openly, and that in no case would there be the slightest ground for imputing to us any act hostile to them.

Lord DUDLEY STUART begged to ask his noble Friend whether there was any foundation for a rumour that some documents had come into the possession of the Provisional Government of France implicating the Duke and Duchess de Montpensier in some extraordinary transactions; and that these documents had the effect of hastening the departure of those personages from England?

Viscount PALMERSTON: I am very glad that my noble Friend has put the question to me, if there appears to have been on the public mind any doubt on this matter. There has been no such communication made to Her Majesty's Government by the Provisional Government of France. I have not heard that any such correspondence, or any correspondence of any kind affecting the Duke and Duchess de Montpensier, has been discovered. I have no knowledge or belief of anything of the kind having taken place, and at all events no communication of the sort or kind has been made to me. With regard to the departure of the Duke and Duchess de Montpensier from this country, it was entirely the result of their own choice; and so far from that departure having been the result of any communication that had been made by us, I think the House will see that there are many reasons why we should think it desirable that they should remain here instead of going away.

STATE OF AUSTRIA.

Lord DUDLEY STUART wished to ask another question of his noble Friend. He wished to know whether the noble Lord had received any intimation which he could impart to the House with respect to a reported change of Government in Austria?

Viscount PALMERSTON: The information which Her Majesty's Government has received is, that on the 14th instant Prince Metternich ceased to be the Minister of the Emperor of Austria. Beyond that, I have had no information.

BRAZIL.

Lord GEORGE BENTINCK said, he wished, in pursuance of the notice which he had given to the noble Lord opposite, to ask whether there was any truth in the statement which had appeared a few days since, to the effect that the negotiations between Lord Howden and the Government of Rio Janeiro had been brought to an unfavourable conclusion, and that notice had been given by the Brazilian Government of their intention still farther to raise the tariff against this country?

Viscount PALMERSTON: I have to state, in reply to the question of my noble Friend, that the last despatch which we received from Lord Howden contained information exactly of the nature which my noble Friend has mentioned, namely, that the result of his communications with the Brazilian Government had led him to despair, for the present, of concluding a commercial treaty, or a treaty for the suppression of the slave trade, between this country and Brazil; but just at the moment of the packet sailing, he wrote a few lines to let me know that he thought it was possible that a change of opinion might take place on the part of the Brazilian Government on this subject. At the same time, I cannot hold out to the House any confident expectation that, in the present state of the Brazils, it is likely that any commercial treaty with this country can take place, as the Brazilians are averse to any avoidable treaties with foreign countries, and as they have a notion that we look upon their trade as so valuable that we are willing to carry on the commerce with them on almost any terms they choose to fix.

THE CASE OF MR. RAYSON.

Mr. MONCKTON MILNES rose to bring under the consideration of the House the injuries alleged to have been suffered by Mr. Rayson, an English merchant, from the Austrian authorities at Constantinople. The hon. Gentleman observed, that he was aware of the great difficulty of fixing the attention of the House on a matter of foreign policy; at the same time, he assured them that if they would bear with him for a few moments, he would place before them a case well deserving of their consideration. The present was not an ordinary case of grievance. Mr. Rayson had been endeavouring for sixteen years, by every legal and diplomatic course, to obtain redress for an undoubted injury; and for sixteen years as a British citizen he had attempted to get mere justice done him without intruding his business upon the House. Having waited so long and so patiently, he (Mr. Milnes) hoped the House would feel that in this case there was no quackery—no false attempt to attract attention; but that, as he had suffered severe injuries with the utmost patience, he at length, as *dernier ressort*, requested to have his case brought before the British House of Commons. The papers connected with the subject, which had been laid before the House of Commons, were described as "Papers relative to the claim of Mr. Rayson on the Austrian Government;" but that title did not exactly indicate his claim. His claim was not upon the Government of Austria, as such; but he alleged that, as a British subject, he was deprived of his rights, and that he was not permitted to bring his case before any tribunal by fair means; that the case was taken out of the judicial course; and that his motives were misunderstood. Such being the case, and as Lord Palmerston had declared that he hardly hoped to obtain justice for him by diplomatic means, Mr. Rayson wished to be enabled by some means to state his case before an Austrian tribunal, and thus obtain the same justice conceded to an Austrian subject. Mr. Rayson was a merchant of high character and extensive means at Constantinople. In the year 1834 (sixteen years ago), a dispute relating to some commercial contracts occurred between him and Judah Bechar Mosé, a Jew of Jerusalem and an Austrian subject. The case was referred to arbitration, and it was distinctly agreed that the question should be adjudged by them on the understanding that if they could not agree, a third party should be nominated to act as umpire, whose decision was to be final. The arbitrators could not agree, and the case was referred to a third party, a gentleman named Wright. Mr. Wright confirmed the view taken by Mr. Rayson's arbitrator, pronounced the views of that person to be just, and declared that the arbitration should be so made. Mosé, however, as an Austrian subject, appealed against the decision of Mr. Wright, and brought the case into the Court of Internunciature. The judge of the court (the Internuncio) took upon himself to decide upon the case. He examined into the circumstances, and finding that the *super arbiter* (Mr. Wright) had only communicated with each of the other arbitrators by reading their opinions, and not by personal interviews, pronounced the arbitration of Mr. Wright invalid and contrary to law. The decision was therefore annulled, and Mr. Rayson was defrauded of his property. He protested against the decision, and on the 3rd of April he memorialised the British Consul General, demonstrating the injustice and absurdity of his opponent's allegations; and urging, in substance, that, according to the regulations ever observed between the Christian Legations at Constantinople, it was for him, the British Consul General, and by no means for the Austrian Internunciature, to decide (in the usual manner) on the question of Mosé's appeal, inasmuch as the superarbitral suit was fully and finally closed on the emission of the definitive superarbitral sentence; and that if Mosé could be allowed at all to appeal against it, he could only do so as plaintiff in the court of the British Consulate. But his Majesty's Consul General did not feel himself authorised to assert this right, and Rayson was therefore obliged to defend the validity of the superarbitral sentence, in a court totally incompetent to entertain the cause, and under a character at once anomalous and highly detrimental to his interests; for here, by the apparent indifference of Rayson's authorities, Mosé succeeded in getting the suit out of the hands of the superarbitral judges, into a regular judicial court (always presupposing that the Austrian Internuncio could only institute it, and not act as judge himself). So that each party was thus made plaintiff and defendant in the same suit. He also petitioned his Majesty's Consul General to obtain for him from the Austrian Internunciature the due execution of the sentence; and, in case this was not granted, then, at least, security for the amounted awarded him, until the question of Mosé's appeal should be decided. This was in 1834. Certain circumstances led him to believe that he could not obtain justice in Constantinople, and he resolved to repair to Vienna. It appeared that he had employed at Constantinople a Sicilian lawyer, renowned as the most able advocate in the city, but who, it seemed, was an object of hostility to the Austrian Government. Mr. Rayson had never mixed himself up with politics, and declared that he knew nothing of any political circumstances relating to his advocate. Mr. Rayson admitted that he had used strong language with respect to the corruption of the Internuncio's court, and in this he was justified, as Prince Metternich had admitted it himself. In the year 1835 Mr. Rayson went to Vienna, and having obtained the opinions of two of the most eminent advocates in that city, laid his case before his Majesty's Ambassador at that Court. Notwithstanding all the efforts of that nobleman, he was unable to obtain justice. Mr. Rayson was then advised to submit the affair to the British Government. This was done on the 23rd of May, 1837; and, in answer to Mr. Rayson's memorial to Lord Palmerston, Her Majesty's Ambassador at Vienna was, in October, 1837, instructed to represent the affair to the Austrian Government, and state "that Her Majesty's Government, having had Mr. Rayson's case under consideration, had judged his claims to be of a nature to merit its countenance and support." These instructions were communicated to the Austrian Government under date October 28, 1837. In consequence of this interposition, the Austrian Government found it necessary to demand from the Internuncio a full account of the entire procedures; and his Excellency in turn had to call his subaltern, Baron de Testa, to account, who, in a document dated the 23rd of January, 1838, gave a very garbled statement of the affair, and pleaded in justification, that the beforementioned Government order, dated the 19th of September, 1838, although contrary to Austrian law, yet the Internunciature had endeavoured, as far as possible, to reconcile its procedures thereto; and that a summary procedure of Her Majesty's Consul General in a case affecting the interests of an Austrian subject, had afforded a good precedent for those of the Austrian Internunciature. After waiting in vain, for several months, the result of the representations made to the Austrian Government by Her Majesty's Ambassador, Rayson was advised again to petition his Imperial Royal Majesty, with the object of obtaining a revision of his case by some competent internal court of the empire; and a petition to that effect, dated April

11, 1838, was presented, but the result was not communicated to Rayson before the 10th of October, 1838, when he was informed by a note from Her Majesty's Ambassador, that by a decree dated the 20th of August, 1835, the Austrian Internunciature at Constantinople had revoked the two decrees of the 8th and 18th of April, 1835, against which Rayson had protested. Her Majesty's Ambassador was not informed of this revocation till two months after the date of that act, and then only on his Excellency's application to the Austrian Government. Mr. Rayson was all this time waiting in Vienna to learn the result of his petition, which, if duly communicated to him, would have entirely prevented the loss of time, so injurious to his interests. Immediately on receipt of this communication, Rayson returned to Constantinople, where he obtained a copy of the decree of revocation, which, without giving any grounds, merely says, that "by superior order of the Imperial Royal Supreme Tribunal of Justice at Vienna, the Internuncio revokes the two decrees of the 8th and 18th of April, 1835." Seeing that the only hindrance to the execution of the superarbitral sentence had been removed by the revocation in question, Mr. Rayson hoped to find on his return to Constantinople that it had already been executed by the Internunciature, in compliance with his most formal demand. But the sentence had not been executed as expected, and Rayson was therefore obliged once more formally to petition, under date, for its being done; and as the Internunciature paid no attention to his petition, he renewed his demand on the 18th December, 1838, and on the 21st December, 1838, the Internunciature notified to Her Majesty's Consulate, that the former could not oblige Mosê to answer Rayson's demand, dated 30th November, 1838 (twenty-two days before), until the fourteen days from the latter date had elapsed. The laws of the Austrian civil code regarding "execution" were as stringent as those of Great Britain, and did not allow a moment's delay in those cases, much less fourteen days; but twenty-two days were taken on the most unwarrantable pretext, and on the 27th of December, 1838 (twenty-seven days after Rayson's formal demand for execution), it was notified to Her Majesty's Consulate, "that Mosê had been reclaimed by the Ottoman Government as a Turkish subject, and that from this date henceforward he had ceased to enjoy Austrian protection." He would not now enter into the subject of the protection afforded to foreigners in Turkey by the Austrian Internuncio; but it was evident that if it were permitted to a subject of any Power to place himself under the protection of a foreign embassy, and then, when pursued for a just debt, to get himself transferred from that protection to another, there must be an end to all commercial transactions. Mr. Rayson asked on what grounds this claim of the Ottoman Government of Mosê Dekker, as their subject; had been made, and he received no answer. He asked if the Austrian Internuncio had allowed him to be taken under Turkish protection without protest; and the Austrian Internuncio did not venture to state that he had made the least resistance to this claim. No doubt if the Austrian Internuncio had represented the circumstances of the case to the Turkish Government, that Government would not have enforced their claim at that moment. They would have said you must remain an Austrian subject until this matter is decided. Thus after three years of anxiety, Mr. Rayson found that he had not advanced one step, and that all his money had been wasted. He applied again to Lord Beauvale, who expressed his conviction that the Home Government would see justice done. The matter was laid before the law officers of the Crown, who gave it as their opinion that, as our courts would afford no remedy to an Austrian subject under similar circumstances, so neither could any remedy be afforded by law to Mr. Rayson, forgetting; however, that the position of Mr. Rayson was totally different from that which any Austrian subject could by possibility occupy, relative to any of the courts of justice of this country. The decision of the Supreme Court of Vienna declared that the Internuncio at Constantinople had interfered illegally, and his decree having been revoked, Mr. Rayson had a just claim against the Internuncio. The case had been submitted to De Retz, a leading advocate of Vienna, who had given it as his opinion that decidedly Mr. Rayson had a just claim against the Internuncio. Acting on this opinion, under the advice of Lord Beauvale, Mr. Rayson had applied to have his complaint against the Internuncio brought before the Austrian Court at Vienna, and eventually it had been referred to the Chancery of the Empire, which was analogous to the Foreign Office; in fact, it had been referred to Prince Metternich himself. Lord Beauvale had frequently applied to Prince Metternich on the subject, and he could get no satisfactory answer. At last, in 1839, a decree was issued by Prince Metternich, overruling the decision of the Supreme Court in Mr. Rayson's favour, and declaring, contrary to the laws of Austria, that the Supreme Court had no jurisdiction over the Internuncio of Constantinople. Prince Metternich, in doing this, had ventured to decide a question which was never brought before him; and on hearing of the decree, Lord Beauvale urged Prince Metternich, but in vain, to do justice. Under these circumstances Mr. Rayson applied to the noble Lord opposite (Lord Palmerston), who at that time held the situation he at present fills, for redress; and he would do his noble Friend the justice to say that his noble Friend had exerted himself to the utmost of his power to procure for this British subject the justice which was wrongfully withheld from him by the Austrian Government; and had the noble Lord continued in office he believed that that justice would have been obtained; but unfortunately for Mr. Rayson the noble Lord was on the point of quitting office. Mr. Rayson renewed his application, and the Earl of Aberdeen, who succeeded the noble Lord, did not at first take the same view of the case that his noble Friend had done, and instead of following up his noble Friend's remonstrances to the Court of Vienna, he recommended Mr. Rayson to follow up Mosé Bekker in the Turkish courts.

House counted out, and adjourned at Seven o'clock.

HOUSE OF COMMONS,

Wednesday, March 22, 1848.

MINUTES.] PUBLIC BILLS.—1° Great Yarmouth Freemen Disfranchisement.

PETITIONS PRESENTED. By Mr. Scholefield, from Birmingham, for Adoption of Universal Suffrage, &c.—By Mr. J. Martin, from Tewksbury, in favour of the Jewish Disabilities Bill.—From Inhabitants of Kilmacow (Kilkenny), for Removal of the Disabilities of the Roman Catholic Clergy (Ireland).—By Mr. Muntz, from Birmingham, and by Sir John Trollope, from Sleaford (Lincoln), for a Repeal of the Duty on Attorneys' Certifiates.—By Mr. Brotherton, from Salford, and by Mr. Ker Seymer, from the Governors of the Dorset County Hospital, for Exemption of Charitable Institutions from the Legacy Duties.—By Mr. Sullivan, from the Corporation of Kilkenny, for Abolition of Ministers' Money (Ireland).—By Sir J. M'Taggart, from the Town Council of Whithorn, for Alteration of the Probate and Legacy Duties.—By Mr. Matthew Bell, from several Lodges of Independent Order of Odd Fellows, for an Extension of the Benefit Societies Act.—By Mr. Cumming Bruce, from Alexander Forsyth and Company, Distillers, respecting Bonding of British Spirits.—By Mr. J. Greene, from Mullinavat (Kilkenny), and by Mr. Poulett Scrope, from several Places, for Inclosure of the Commons and Waste Lands (Ireland).—By several Members, from a number of Places, against the Diplomatic Relations with the Court of Rome Bill.—By Mr. Sharman Crawford, from Kilmacow (Kilkenny), and by Mr. John Greene, from Mullinavat (Kilkenny), for Alteration of the Law of Landlord and Tenant (Ireland) Bill.—By Mr. Alexander Hastie, from Paisley, for Amendment of the Poor Law (Scotland).—By Mr. Compton, from Milbrook (Southampton), and by Mr. Muntz, from the Company of Proprietors of the Birmingham Canal Navigations, for Alteration of the Public Bill.—By Mr. Stafford from Wellingborough; and from Stockton-upon-Tees (Durham), in favour of the Public Health Bill.

EJECTION OF TENANTS IN IRELAND.

MR. POULETT SCROPE said, that it would be in the recollection of the House that, on the recent debate on the Irish Poor Law, a statement was made, that under the operation of it a great number of houses, with several hundreds of inhabitants, had been pulled down without any previous legal notice of ejectment, and great distress and misery had resulted from these proceedings; but doubts were expressed as to the accuracy of this statement. He had, however, on that morning received a letter which confirmed the statements previously made, and which stated that in many parts houses had been pulled down, and the poor persons ejected had been left to perish in the ditches, or to wander about the country in a state of the most abject destitution. In addition to this, in the papers respecting the Irish Poor Law delivered yesterday, he found ample evidence of this. In a letter of Mr. Horsley, the poor-law inspector of the Milford union, he found a passage which clearly showed the destruction of houses. It stated that—

"Destitution is frightfully on the increase. There is no employment for the ablebodied poor; and I fear it will be necessary for the Commissioners to authorise very shortly outdoor relief to that class. Numbers of them have given up their small holdings to the landlords, and their houses have, in very many instances, been thrown down. Indeed the classes eligible to outdoor relief, under the 1st section of the Act, cannot be turned out of the house to make room for the ablebodied, as they have no place to go to for shelter from the winds of heaven. Within the last three months almost every landlord or occupier has, on the admission of such parties to the workhouse, instantly levelled their wretched hovels with the ground, thus making permanent paupers of those classes. It would not be affirming too much to say there has been a rate to get these classes into the workhouse for the purpose of clearing the parcular lands of them."

He would read another extract from a letter of the poor-law inspector of the Milford union. [" Order, order!"] He only intended to read some extracts from the poor-law papers issued yesterday.

MR. SPEAKER considered the hon. Member was not in order. The hon. Member had given notice of his intention to put a question, and in doing so he had no right to make a statement beyond what was absolutely necessary to explain the question. The hon. Member was not justified in going into circumstances which would give rise to discussion.

MR. POULETT SCROPE, under these circumstances, would at once go to the statement of Major M'Kie, who had been requested by the Poor Law Commissioners to make inquiries as to the ejectments which had taken place. It was dated February 19, 1848, and was page 466 of the blue book. It was as follows:—

"It would appear from the evidence recorded, that these forcible ejectments were illegal; that notices had not been served; that they were perpetrated under circumstances of great cruelty; the time chosen for the greater part nightfall, the eve of the new year—"

SIR ARTHUR BROOKE rose to order. He appealed to the Chair whether the hon. Gentleman was justified in getting up in that House and making attacks on the landed proprietors of Ireland in such a way that they would have no opportunity of replying?

MR. SPEAKER must declare that the hon. Gentleman had exceeded the limits necessary for putting a question. If hon. Gentlemen made statements longer than was necessary to make their questions clear and intelligible, it would seriously embarrass the business of the House.

MR. POULETT SCROPE said, that he could have obviated the difficulty by bringing the subject forward on reading the Order of the Day. He would, however, then simply put the question of which he had given notice. He wished to ask the right hon. Baronet the Secretary of State for the Home Department, "whether any steps are being taken or contemplated by Government for the prosecution of the parties concerned in the illegal destruction of several houses, and the forcible ejectment of their inmates, which took place in the union of Galway on or about New Year's day last, and which occasioned the deaths of several of the unfortunate beings so ill-treated; as appears by the evidence taken on oath before Major M'Kie, poor-law inspector for that union, at the request of the Commissioners, printed in page 467 of the fifth series of papers, relating to the relief of distress and state of the unions in Ireland?"

SIR G. GREY had read with great pain and regret a statement in the volume of correspondence lately laid before the House, relating to the destruction of houses in Galway, just referred to by the hon. Gentleman. At the same time, he could not undertake to say that the hon. Gentleman had quite fairly stated the case, for he did not think it was to be inferred from that correspondence, that the destruction of those houses did occasion the deaths of the individuals referred to. The question was, "whether Government had taken any steps for the prosecution of the parties concerned in the illegal destruction of several houses, and the forcible ejection of their inmates?" Major M'Kie, who took evidence on oath on the authority of the Poor Law Commissioners, had stated that in several cases previous notice of ejectment had not been served; but he was sorry that the learned Attorney General was not in his place to speak to this point, as any opinion of his own on the legal question must necessarily have little weight with the House. He was not aware that the parties had rendered themselves liable, by the destruction of these houses, to any prosecution that could be instituted against them by the Poor Law Commissioners. He apprehended that, if a landlord did destroy a house, without complying with the previous requisites that the law required, he would lay himself open to a civil action; but he was not sure that a criminal action would lie against him for such an act; and he believed that no proceedings of the nature adverted to by his hon. Friend could be legally taken by the Poor Law Commissioners.

AGRICULTURAL TENANTS' RIGHT BILL.

On reading the Order of the Day for the Second Reading of the Agricultural Tenants' Right Bill,

MR. POULETT SCROPE said, that he was then entitled to make some observations on the question he had put, and he must be allowed to say he thought that he was fully justified in the course which he had taken. The statements he had made were from documents of a most authentic character, which had been laid upon the table of the House, and to which he felt he was fully justified in referring. The right hon. Gentleman had thrown some doubt upon the question as to whether these proceedings were so far of an illegal character as to justify the Poor Law Commissioners or the Government in taking notice of them. He made no question that the Poor Law Commissioners could not proceed in the matter; but it was in his mind a grave question whether the Government should permit such acts to go unpunished. It appeared to his judgment that this was a case which came precisely within the provisions of the "Whiteboy Act," which declared that any person unlawfully destroying or injuring any habitation shall be liable to death as a felon. In the 1st and 2nd William IV., which amended this Act, the punishment for such an offence was decreed to be transportation for life. He did not consider that they could distinguish between landlord or other person in viewing an offence of this description. He thought that this was a very fit subject of inquiry for the Government; for whether it was a case of agrarian outrage, or an offence committed by a member of the highest class in society, it was in his mind equally unjustifiable, and, being an illegal act, should be as much punishable by law as the hanging or transporting of men for the commission of those dreadful crimes which were unfortunately too common in Ireland. This was a time at which it was very necessary the Government should declare their intention to enforce the law, as well against landlords as against tenants. The question now was, whether the poor man was to have a remedy against a landlord for such an illegal act as he had referred to. As to the idea of a civil action, the thing was impossible. He thought it behoved a paternal Government to step in and demand justice for these poor people, for so illegal and cruel an outrage committed against them. As to whether deaths were or were not the consequence of this proceeding, he could only say that he had stated nothing but what the Government inspector himself had reported, namely, that several children had been left exposed upon a bleak western shore during a stormy wintry night—that their parents had implored shelter for them until the next day—that their prayers for mercy were refused—and that many of them had since died. Now, any person was at liberty to draw his own inference from these facts. The House should, however, recollect that this outrage was committed upon the night of the 31st of December, during a severe snow storm. He left it, then, to the House to declare whether the deaths that had followed were not the consequence of this inhuman act? This was an outrage of as bad a character as he had ever heard perpetrated by landlords, their drivers or agents; and he now asked the House whether it should be allowed to pass unnoticed?

Sir GEORGE GREY would only say that he hoped his hon. Friend would remember that he did not defend the acts of the landlords of Ireland. He merely demurred to the proposition which implied that the parties so offending were liable to be criminally prosecuted. Neither did he deny that deaths had occurred subsequently to the events alluded to. He should not, however, be supposed to acquiesce in the statement that those deaths were consequent upon the outrages.

Mr. E. B. ROCHE said, that the poor of Ireland owed a deep and lasting debt of gratitude to the hon. Member for Stroud. The fact was that the poor of Ireland had no protectors. The whole of the shocking occurrences mentioned by the hon. Gentleman arose from the operation of the Quarter-Acre Clause, for the repeal of which, on the Motion of his hon. Friend the Member for Rochdale, they could only obtain twenty-one votes the other night. The right hon. Gentleman the Secretary of State for the Home Department had said that no criminal prosecution would lie against the landlord for levelling the tenant's house, but that it was just possible there might be ground for a civil action. But could anything be more absurd than to imagine a poor wretch seeking such a mode of redress? When the right hon. Gentleman said that the Government could not prosecute the landlord for throwing down the unfortunate tenant's house, what he meant was, that the poor man had really no protector in Ireland. Could the Government suppose that, after such declarations, the people of Ireland could have any confidence in them? The onus of protecting the poor lay morally upon the Government; and if, under the Quarter-Acre Clause, those poor people were swindled out of their property, the onus lay upon the Government of repealing it.

Sir W. SOMERVILLE said, that a large portion of the extract quoted by the hon. Gentleman the Member for Stroud had been alluded to by himself (Sir W.

Somerville) the other night, when opposing the bringing in of the Bill for the repeal of the Quarter-Acre Clause; and he should repeat what he had then said—without complaining of the not very courteous language of the hon. Gentleman—that it was not owing to the operation of the Quarter-Acre Clause that those levellings of houses had taken place. He regretted that his hon. Friend had so changed his tone; but if there were no law which would authorise the Government in attempting to prosecute criminally the parties so demolishing the houses, it was idle of his hon. Friend to get up and throw blame upon them. His hon. and learned Friend the Member for the University of Dublin (Mr. Napier) would be able to say positively whether there were or were not such laws in existence as would enable the Government to interfere; but as to those outrages being consequent upon the Quarter-Acre Clause, he should repeat what he said the other night, that they might as well have been perpetrated if the tenant had gone to market or elsewhere, as to the workhouse.

SIR A. BROOKE thought that if the statements of those occurrences were true, nothing could be more unjustifiable. But the House ought to be very cautious in giving credence to such statements, for the landlords of Ireland were very much maligned. He would give one instance in point. The medical board of health in Dublin instituted certain inquiries into the condition of the fever hospital, and the progress of fever in his (Sir A. Brooke's) neighbourhood. The medical superintendent reported that there were a great many cases of fever in the district, but that there was only one in the hospital. But being of course unwilling to lose his situation, he gave a reason, which was, that the poor people were so afraid of having their houses pulled down by their landlords whilst they were in the hospital, and having no place to go to upon coming out, that they would not enter the hospital, but preferred lying at home. Further inquiries were instituted, and the medical superintendent was unable to state one single instance in which such an event as the throwing down of the house of a fever patient had occurred; and he had recourse to the explanation, that whether such a thing had happened or not did not signify—it was the fear of it that prevented the poor people from coming into the hospital. He thought that the names of those persons who had acted as described ought to be published. It would be better that they should be exposed, than that the whole body of landlords should be maligned on their account.

MR. REYNOLDS coincided in the opinions stated by the last hon. Gentleman, that the offending parties ought to be named, and that the entire body of the landlords should not be included in the charge. The hon. Member for Stroud did not include them. But that hon. Gentleman was entitled to the thanks of the Irish people for having brought under the consideration of the House a state of things which was unparalleled in the whole civilised world. He should at the same time say that the Government of Ireland had in the present instance performed their duty. They had sent a Commissioner to inquire into the circumstances of the case, and he had reported upon them. Major M'Kie remarked himself, in his report to the Commissioners, that—

> "The witness, John Costello, states, that Mr. Arthur Blake, son of Mr. James Blake, J. P., and agent to Mr. Patrick Blake, of Gorumna; Patrick M'Nalty, steward to James Blake; Edmund Walsh, and one Faherty, drivers to Mr. Blake, with several others, tenants to Mr. Blake, were the actors in these illegal proceedings; and their identity is confirmed, together with that of Mr. Richard Blake (also son to Mr. James Blake), by the witnesses Bridget Faherty, Mary Faherty, John Toole, John Magan, Mary Feeny, and others, all of whose cases were attended with circumstances of great cruelty. I have visited the ruins of these huts (not any great distance from Mr. Blake's residence): I found that many of these unfortunate people were still living within the ruins of these huts, endeavouring to shelter themselves under a few sticks and sods, all in the most wretched state of destitution; many were so weak that they could scarcely stand when giving their evidence. The site of these ruins is a rocky wild spot, fit for nothing but a sheep-walk. It appears from the information I have been able to obtain, that these people had many of them been living in these huts for years; renting patches of land on the rocky shore, and earning a precarious and scanty subsistence by the culture of the potato, paying even for the sea-weed to manure the land. The total failure of the potato crop left them without any means of subsistence, and, being unable to cultivate the land, they had given up their holdings, but continued to occupy the huts, paying no rent. It has been stated, and I believe with truth, that Mr. Blake and many of his tenants had lost sheep, and suffered from depredations on their turnip crops. These people, having no means of subsistence, suspicion fell on them, and it was resolved to root them out. Mr. Blake, senior, was present on the 15th, and had the perusal of the whole of the depositions, of which he took notes. He denied any knowledge of the proceedings, he being absent at the time they occurred. I asked if, as a magistrate, he had not on his return from Dublin made any inquiry as to the acts of violence committed during his absence. Mr. Blake said,

he inquired of the police; who had made no report of the matter, although fully aware of it. I have made inquiry, and find this to be true; they were well aware that the people's houses were thrown down, but made no report to the inspector. I pointed out to Mr. Blake that the depositions implicated himself, as it had been asserted to be by his orders, and that his sons and servants were the leaders; that the depositions were on oath. Mr. Blake assured me he had not in any way sanctioned those proceedings, which he admitted to be illegal; and promised to send me an affidavit to that effect on the following day. I have not heard from him since."

He had again to thank the hon. Member for Stroud for having brought such a shocking affair under the consideration of the House; and he could only regret that they had not had the benefit of his vote in the minority on the hon. and gallant Member for Portarlington's Motion the other night. But he supposed they would have had it had the blue book now before them been then upon the table of the House.

Mr. NAPIER entirely agreed with his right hon. Friend the Secretary for Ireland, that there was no law under which the landlord could be reached by a criminal prosecution for pulling down the houses of the tenant; and that being the case, he thought it should not go forth to the people of Ireland that the poor were not protected. Much mischief might be done by such assertions.

Mr. R. M. FOX thought that Mr. Blake ought not to be allowed to retain the commission of the peace after the report which had been made by Major M'Kie.

Subject at an end.

OUTGOING TENANTS (IRELAND) BILL.

Mr. S. CRAWFORD rose to move the Second Reading of the Outgoing Tenants (Ireland) Bill. He hoped the reasonableness and utility of the Bill would induce the House to agree to its being read a second time. The Bill did not propose the establishment of any new relations between landlord and tenant—it simply proposed to confirm by law those relations and agreements which had existed for upwards of one hundred years in the province of Ulster. The importance of this question had been set forth in the report of the Landlord and Tenant Commission, and that in such strong terms that it was impossible to deny the propriety of legislating on the subject. Although the Commissioners did not point out the mode in which the relations between landlord and tenant should be adjusted, yet they expressed a decided opinion that some modification of the present system was absolutely necessary, in order to afford that security to the tenant without which no improvements would be effected. The chief object of the Bill was to assimilate the common law of Ireland to that of England. The common law of England recognised, in their full force, the established customs of the country. That was not the case in Ireland; there the claims of the outgoing tenant to compensation for improvements could not be enforced in a court of law. Agrarian outrages were committed chiefly on that account. In Ulster, where tenant-right was admitted, peace, order, and prosperity prevailed. Some were of opinion that it was only necessary to legislate on this subject for the other provinces of Ireland, where the landlords were generally hostile to tenant-right; but the people of Ulster, who enjoyed the privilege of tenant-right, were as anxious as others to have that right confirmed by legislative enactment. Wherever tenant-right was respected, pauperism was comparatively insignificant. In Newtownards union there was a population of 60,000, of which 8,481 were landlords, and the average size of farms was only 11½ acres; yet, owing to the industry consequent on tenant-right, there were only 600 paupers in the union, and there was no requirement for outdoor relief. The Marquess of Londonderry, though hostile to legislation on the subject, caused tenant-right to be respected on his estate, and the result was that those occupying under him attained to a degree of prosperity and improvement rarely to be met with in any other part of Ireland. Some considered that it was contrary to the principles of political economy to interfere between two parties to a bargain; but, although he was much opposed to legislative interference in such matters, he thought that the landlord and tenant, under present circumstances, did not enter into their agreements on equal terms. When there was a monopoly in favour of one party, the other should have the protection of the State. How could the poor man, who was obliged to take the land upon any terms, sell his labour to advantage, or make, under existing circumstances, an independent bargain? All improvements of a permanent character should be made at the expense of the landlord. It was great cruelty towards a tenant who, for a number of years had been cultivating the soil, to allow him to be outbid by any other person, without compensating him for the improvements he had made. Such a course tended to weaken, if not to destroy, that attachment to the soil which was one of the noblest qualities of the human mind, and the mainspring of public liberty. The security afforded by tenant-right tended greatly to foster that attachment, and also to encourage manufacturing industry. What, for example, had led to the present prosperous condition of the town of Belfast but the long leases granted by the Marquess of Donegal? The House had already interfered by the 3rd and 4th of William IV., c. 37, to establish the rights of Church tenants against their landlords. The reports of Committees and Commissions of that House were innumerable with regard to the necessity of interference in this respect; but those reports had been a dead letter, and were standing proofs of the neglect of Parliament. The preamble of the Bill recited the custom of tenant-right in Ireland, and the Bill provided that, instead of sending small cases before two justices of the peace, who might be interested parties, the decision as to the matter of compensation should be left to the assistant barrister. In cases of importance, the parties were to have the power of coming before a jury, as was provided in the Land Clauses Consolidation Act. He admitted that the custom of tenant-right had been abused, and it was his desire to correct abuses. It was therefore provided that the tenant who claimed compensation should be able to show, not that he had expended money foolishly on the land, but that he had improved the value of the holding. The title to compensation was made to depend entirely on the increased value of the land. The Bill also contained a clause which deprived the tenant of any compensation in case the occupancy was divided into parts. He had endeavoured to make the Bill simple and perfect; but he would not say that there might not be many improvements made in it, nor would he resist any that did not alter the character of the Bill. Unless the House was prepared to pass the Bill through Committee, he did not wish to put them to the trouble of having it read a second time. He wanted a fair discussion of its principle. He hoped that, if the House did not approve of the principle, or the general details of the measure, they would not allow it to proceed any further, because he did not wish the people of Ireland to be buoyed up by false expectations. He was perfectly willing to submit to any fair alteration of the clauses in Committee. He could not help expressing his surprise at the amendments which this Bill was about to undergo at the hands of the hon. Member for Westmeath (Mr. Magin), who, as appeared by the Notice-paper, intended to move, as an Amendment, that the Bill be referred to a Select Committee, to inquire whether the alleged grievances could not be remedied without any legislative enactment, and without injustice to the landlords. Were no interests to be respected by that House but those of the landlords? He could not bring himself to believe that the House would agree to the Amendment of the hon. Member, after the repeated declarations which had been made, not only in that House, but by the landed proprietors of Ireland, that legislation was necessary upon this subject. It was surely impossible that the House could trifle with the subject in the manner proposed by the hon. Member for Westmeath, who, he hoped, would not persevere with his intended Motion. If the hon. Member chose to show a decided hostility to the measure, he thought it would be a much better course to propose at once that the Bill be read a second time that day six months. He would much prefer such a course to any underhand manœuvres to get rid of the Bill. It was not his intention now to go into the details of the Bill proposed by his right hon. Friend the Secretary for Ireland; it would be time enough to discuss that Bill when it came before the House. In the mean time he would content himself with saying, that the provisions of that Bill were not calculated to satisfy the requirements of the tenantry of Ireland. The great body of that class in Ulster considered that it would totally destroy those rights which they had enjoyed for so long a period. He acknowledged that the Bill did not avowedly declare that henceforward the tenant custom of Ulster would be annihilated; but if it passed into a law, he contended that it would have the effect of abolishing that custom, because the landlords of Ulster, glad to avail themselves of the new law which would be passed for Ireland generally, would, instead of observing the custom of their province, merely act up to the strict letter of the law, which would not be so advantageous by many degrees to the tenantry as the custom of Ulster. The custom of Ulster would thus be thrown aside. He hoped that in the course of his observations he had not said one word offensive to the landlords of Ireland. He did not think that such a course would have been judicious in a House where the landlords' interests were represented much more powerfully than those of any other class. But he would say that there was no class whose interests were more directly involved in the consideration of this question, either for good or evil, than those of the landlords. If they did not agree to this fair and simple adjustment of the question of landlord and tenant, the result would be that there would be an end to all improvement on the part of the occupiers of small holdings in Ireland. That stoppage of improvement would be necessarily followed by non-payment of rents. The tenants of Ulster would consider that their rights were to be abrogated, and that province would be the scene of agrarian disturbances. He called upon the landlords, then, seriously to consider what they were doing; he called upon them to benefit themselves and their tenants by consenting to the passing of this Bill. He called upon the English Members, if they were anxious to reduce taxation, not to render Ireland a burden to them, by refusing to pass measures calculated to give peace and prosperity to that country. At present, in consequence of the unjust relations between landlord and tenant in Ireland, they were obliged to maintain a large army and police force to secure the peace of that country; but if this simple adjustment of the tenant's rights was adopted, all Ireland would be as peaceful and prosperous as Ulster, where tenant-right prevailed. A refusal to pass this Bill on the part of that House would be construed into a declaration of war against the rights of the people of Ireland.

Mr. TRELAWNY moved that the Bill be read a second time that day six months. The hon. Member for Rochdale, whose honest intentions he readily acknowledged, appeared to him to entertain the most mistaken views as to the way in which Ireland could be best benefited. He raised hopes which could never be realised. If carried, this Bill would act as nothing more nor less than as a law of confiscation against the Irish landlords; in fact, it would be like taking a watch out of one's pocket and giving it to the first beggar we met upon the street. The principle of the Bill amounted to the same thing. Great as the suffering and discontent of the tenantry in some parts of Ireland might be, this Bill could have no other effect than that of adding thereto. Much as he deprecated the evictions by landlords, he really saw no other mode of keeping the land of Ireland in proper cultivation. He could not see much injustice in the system of ejectment, because, when a man was turned out of his property, he could apply to the workhouses, which by the law of last Session had been erected throughout Ireland. He had taken some trouble to furnish himself with accurate information on the subject, and he was decidedly of opinion that the only safety for Ireland lay in the power vested in the landlords to eject their tenants. The hon. Member for Rochdale had contrasted the peaceful and prosperous condition of the people of Ulster with that of the other portions of Ireland, and said that it was to the Ulster tenant-right that Ulster was indebted for its comparative peace and prosperity. Now, he believed that the difference was owing to the superiority of the Saxon over the Celtic race. Then the hon. Member had appealed to the English Members to pass this law, for the purpose of saving the expense which the present system entailed in the shape of a large military and police force to keep down the discontented tenantry of Ireland; but he rejected any such appeal to his pocket in favour of this Bill. He did not think that the English Members would join in an unjust crusade against the interests of the Irish landlords for the selfish purpose of diminishing their taxation.

Dr. POWER, as he represented 800,000 of the people of Ireland, was anxious to make a few observations upon this important question. The hon. Member who had just sat down had afforded to the people of Ireland a specimen, if any were wanting, of the incapacity of a British legislator to legislate for Ireland. The hon. Member for Rochdale had brought before the House a measure which had been loudly called for by 7,000,000 out of 8,000,000 of the people of Ireland; and the hon. Member who had just down pronounced the Bill a measure of confiscation of landlords' rights. The hon. Member had said it was tantamount to taking a man's watch out of his pocket; but, for the life of him, he could not see upon what grounds the hon. Member had made that assertion. Property was designed for the benefit of the people; and if the Legislature found that it was monopolised by one class, while the other was in a state of starvation, surely they could remedy the abuse without being liable to the charge of having passed a law of confiscation. It was the duty of the Legislature to draw the true line of demarcation between the rights of the landlords and those of the tenants. The relation of landlord and tenant in Ireland had been a subject of frequent discussion in that House. In 1830, a Select Committee was appointed to inquire into the state of the poor in Ireland, and in their report he found on the subject of the ejected tenantry the following passage :—

> "Their condition is most deplorable ; it would be impossible for language to convey an idea of the state of distress to which the ejected tenantry have been reduced, or the disease, misery, and vice which they have propagated in the towns wherever they have settled."

Now, it appeared that the hon. Gentleman who had just sat down would add to that disease, misery, degradation, and death of the unfortunate people of Ireland, by clearing the estates of what he would term "the superabundant population." Now, the object of this Bill of the hon. Member for Rochdale was to check, and he believed that it would effectually check, such a clearance. The next inquiry into the condition of the poor of Ireland was that known by the name of the Devon Commission; and amongst the multifarious subjects with which that body dealt was the tenant-right of the province of Ulster. Now, the House would observe that that Commission consisted exclusively of landlords; that Commission was, nevertheless, reluctantly compelled to admit that that "Ulster custom," or tenant-right, was of a most salutary nature, inasmuch as it prevented pauperism, and checked murder and assassination. The people of Ireland, with such facts before them, asked that a similar right should be extended to the other provinces of Ireland. They had been deluded into the hope that the Legislature intended to comply with their requests, when the noble Lord the Member for Falkirk (the Earl of Lincoln) announced his intention to remedy the law of landlord and tenant. Their expectations were not a little enhanced by the subsequent announcement made by the noble Lord now at the head of Her Majesty's Government, that remedial measures were in contemplation for Ireland. But, instead of the just demands of the people being conceded, they were doomed to witness the fulfilment of the Æsopian fable of the mountain and the mouse. He could not help making some allusion to the Bill which had been introduced on this subject by the right hon. Baronet the Secretary for Ireland. His first objection to that Bill was founded on its alarming complexity and confusion; his next objection was, that it was confined exclusively to tenants holding under a rent of 10*l.* per annum. With regard to the prospective clauses of the right hon. Baronet's Bill, he observed that in the case of an occupying tenant, who paid a rent, for instance, of 100*l.* per annum, if he should have expended 1,000*l.*, by that Bill he could only demand 300*l.* compensation, as it only allowed three times the amount of a year's rent for compensation; the other 700*l.*, then, would go into the pocket of the landlord. Now, he asked the right hon. Baronet (Sir W. Somerville) whether that was fair, just, or equitable? It would be to the interest of a landlord, in such a case, to eject his tenant, as he could get an increased rent by reason of the 700*l.* invested by his tenant in improvements. But, if such a law were passed, how could they expect that any improvements would be made in the land of Ireland? Who would invest his labour and capital in land when the law directed that the landlord should have almost the exclusive benefit of both? If the Bill of the hon. Member for Rochdale were rejected, and that of the right hon. Baronet adopted in its stead, then he (Dr. Power) would say that the tenant-farmers of Ireland would be insulted by "a mockery, a delusion, and a snare." The Bill of the right hon. Baronet was a delusion, because, whilst it affected to give protection, it gave no such thing; it was a mockery, because it falsified the expectations which were held out to the people of Ireland before the passing of the Coercion Bill; and, lastly, it was a share, because in a covert and underhand manner (he did not charge the right hon. Baronet with any dishonest intentions), it attempted to deprive a portion of the people of Ireland of the rights which they already possessed whilst it affected to increase those rights. If the rights which Ulster at present enjoyed under the Ulster custom were taken away—and they assuredly would be by the Bill of the right hon. Baronet—then, in the language of the Devon Commission, would Ulster become a second Tipperary. He, however, would ask the House to try to convert Tipperary into a second Armagh or Down, by passing this Bill of the hon. Member for Rochdale. It had been said that it was impossible to legislate between landlords and tenants in the manner proposed by the hon. Member (Mr. Crawford); but that was not the opinion of the Devon Commission. In Ulster, as it had been proved, there was more prosperity and peace than elsewhere in Ireland; the rents there were higher; there were fewer ejectments; and assassination was almost, if not wholly, unknown. The hon. Member who spoke before him (Mr. Trelawny) said that that difference was owing, not to any custom, or superior landlord or tenant laws which existed in Ulster, but to the difference of race. Now, if that difference of race were thus operative in Ireland, why was it not seen in America? In the United States they found the Celt running a race of competition neck and neck with the Saxon, the German, the Swede, and the Swiss. He himself had seen in that country Irishmen who, eighteen or twenty years ago, had to beg for their passage-money across the Atlantic, now in the enjoyment of large and ample fortunes. The House might depend upon it that the difference in the condition of the provinces of Ireland was not owing to a difference of race. It was owing to the difference of possessing protection and wanting it. The hon. Member quoted from the evidence taken before the Devon Commission, for the purpose of showing how much the fertility and productiveness of land in Ireland might be increased if a proper security, such as that which existed in Ulster, were extended to the whole of the tenantry in Ireland. The hon. Member also read an extract from a parliamentary paper, regarding the admirable management of Glenbeg, by the landlord, Lord Headley, which had resulted in the material and moral improvement of the people; and he said that if other landlords would act as Lord Headley had done, the turbulence of Ireland would disappear. In conclusion, the hon. Member entreated the hon. Secretary of Ireland yet to amend his Bill, and satisfy the people of Ireland on a point for which they were more eager than any other, not excepting even Repeal itself. He believed the hope of obtaining a good measure had been the chief means of preventing a general outbreak during the time of famine. The people had been led to expect this from the declarations of Government. [Sir William Somerville: No!] They were led to expect it inferentially by the promises of the healing measures made by the noble Lord at the head of the Government. If the Government would not fulfil these expectations, but continued to treat Ireland as hitherto—neither ruled it as a colony nor as a part of the empire—the responsibility would lie on the Government, and the representatives of the people, he trusted, would be found to do their duty.

Mr. HUME agreed with the hon. Member who had last spoken, that at this moment this subject was of paramount importance. The statement of the hon. Gentleman was, that while in their own country Irishmen failed to prosper in the same way as Englishmen and Scotchmen similarly circumstanced, yet when out of Ireland they conducted themselves as well, and acquired wealth as rapidly, as the natives of either of the other British Isles. If that were, in reality, the case, it appeared to him to be the bounden duty of the House to inquire at once into the anomaly, and to apply immediately a remedy to the social disorganisation of which this was the result. There was no doubt that Ireland had been kept for centuries in a state of degradation and discontent, and it was equally unquestionable that they must look for the causes of her existing unhappy position to the fact that during no portion of that period had she been governed on the same principles as either England or Scotland. The people of Ireland had not been treated as men, they had not been treated as freemen; they had been dealt with as slaves. They had been treated doubly ill; they had been crushed by the proprietors of the soil, and neglected by the Legislature. He had often declared in that House, that, had he been an Irishman, he would not submit to such a system as that pursued towards that country without perpetually struggling for an amelioration; and he thought the Irish Members were fully entitled to demand that some effort should be made to remove the causes of the evils of which they complained. He advocated the extension to Ireland of all the rights enjoyed by the people of England and Scotland. Ireland was one member of the Union, and if she was really united it was a crime to introduce any difference in their legislation. Was the Union one on paper merely, or was it a fact? Did the Irish people really possess the same privileges as the people of England and Scotland? He would not go so far as to say that the Irish were incapable of self-government, because he had first to inquire if the present laws admitted of habits of independence. He had had a seat in the House many years, and he did not remember one Minister having honestly attempted to do justice to the sister country. There were strong grounds for taking the subject of tenant-right into immediate consideration. They would most certainly fail in any attempt to force such a general measure as that asked for Ireland upon the agricultural classes of England. Each county in this country and in Scotland had its traditional tenant-right, in accordance with which all leases were drawn up; but no such system prevailed to any great extent on the other side of the Channel; and even though, after a discussion, the principle should be rejected, yet the debate itself would elicit the facts, and thus something would be done to content the people and set the question at rest. He regretted that Her Majesty's Ministers had been so dilatory in this matter. They had already got through five months of the Session, and nothing had been done. Why was not this question the very first considered? It was quite clear that it must be speedily settled either one way or the other. It would not do for the Government to trifle with the peace of the country, and with the time of the House. A hurricane might be heard around them, and this was not the period in which to stop in the path of social reformation in Ireland. The very last declaration made by the right hon. Baronet the Member for Tamworth on closing his Ministerial career was, that he would support every measure of the Government succeeding him, which was calculated to secure equal laws and equal privileges, civil and religious, to the people of Ireland; and yet, so far, no exertion whatever had been made. There were many measures which must be granted; more correct registration and an improved representative system were the first steps. It was not to be supposed that Cork, with 800,000 inhabitants, would rest satisfied with no more extended representation than was accorded to a petty borough in England or Wales. In fact, all other questions ought to be postponed until they had properly met the difficulties which presented themselves in the sister country. Why had not the Encumbered Estates Bill been brought down from the House of Lords? There were a million of acres lying locked up and unproductive in Ireland. Were this land in the market it would at once be bought up in small lots, and the cultivation of it would afford full occupation to that population which was now perfectly idle. Every one who knew Ireland must be aware that the main thing wanted was a better allocation and distribution of land. Let the evils connected with land be remedied, and discontent in Ireland would speedily be allayed. Even the proprietors of Irish estates would themselves be rendered happier by the change. Why then not give an improved system a fair trial? Till the Government set itself seriously to work we should never in this country be free from danger. Would any one say that the Irish were without grounds of complaint? Could any one say so who looked at the proceedings reported in the newspapers of that morning? He had always been opposed to any description of measure tending to interfere with the Union at present subsisting between the two countries; but every one must see that a legislative Union which merely existed upon paper was utterly worthless. To give reality and stability to the Union, it was necessary that the inhabitants of both countries should be placed upon a footing of perfect equality. Measures having such a tendency, constituted the class to which the Legislature of this country ought to direct their earnest attention. Therefore he hoped that his hon. Friend would postpone the present Bill, in order to give the Government time to consider what improvements in the tenure of land might be introduced; and, if the Government could once be prevailed upon seriously and sedulously to apply its energies to the task of improvement, some hopes for Ireland might be entertained. Till justice was done to Ireland, they could never hope to put down the cry for repeal. It was well known that people having other objects in view made that cry a pretext. Let that cry be put down by the only true method—doing justice to the people; then the Lord Lieutenancy of Ireland might be dispensed with; Ireland might be governed not as a colony, but as an integral part of the empire. Ireland ought to be governed as Scotland was—subjected to the same burdens, and protected by the same laws.

SIR W. SOMERVILLE said, that hon. Members who addressed the House in the course of the present discusion did great injustice in asserting that the Government had done nothing in legislating on the subject to which the present measure referred. They ought not to forget that very soon after the recess he had introduced a Bill embodying the views which the Government entertained on the subject. It was unfair to say that the Government had taken no step whatever. A Bill had been introduced by them; it had been read a first time, and the second reading had been fixed for next Monday. He did not see, then, upon what principle they could be accused of remissness. He was not sure that the hon. Member for Montrose was in the House when the hon. Member for Rochdale brought in his Bill; but, if he had been, there could scarcely be a doubt that he would have considered the case perfectly hopeless. The hon. Member for Rochdale upon that occasion told the House, that unless they sanctioned the tenant-right of Ulster, no other measure ought to receive the sanction of Parliament. Was he then wrong in saying that the hon. Member for Rochdale held such opinions as that there would be very little chance of settling the present question, unless they were prepared at once to legalise the tenant-right of Ulster? He had been told that if he looked at the preamble of the Bill, he would find beyond any possibility of doubt—no one could have the least doubt—that to establish what was called "tenant-right" all over Ireland, was what the hon. Member wanted; and yet, even from the statements of the hon. Member it was not easy to say what tenant-right was. He had watched the whole of these proceedings; he had heard the speech of the hon. Member when he brought in his Bill; he had listened to him on the present and upon former occasions; yet such was the discrepancy between one part of his remarks and another—so numerous and conflicting were the definitions which the hon. Member gave of tenant-right, that it became impossible to arrive at any settled decision. When he heard the conclusion of the hon. Member's speech on bringing in the Bill, he felt himself as ignorant as he had previously been; and he frankly confessed that he was not wiser now. At one time the hon. Member contended that the tenant ought to receive compensation for the money that he might have expended in improvements; at another that mere occupation, without improvements, was sufficient to entitle the tenant to no inconsiderable sum for his goodwill of the holding. There was an evident inconsistency between the preamble of the measure and the terms in which its advocates suported it. On the 9th of November the hon. Member seemed to hold one opinion; on the 11th he maintained a totally different doctrine. At a public meeting in Dublin he supported a resolution declaring that mere occupation ought to constitute a tenant-right; not a word about improvement—it was to be mere occupation. Now, he did not hesitate to say that if the House sanctioned such a principle they would convert Ireland into one great field of litigation. He would not say that the measure proposed by the Government was perfect. He was quite ready to consider and reconsider its details; but this he would take the liberty of stating, that he had received a great many letters saying that he was proceeding in the right direction. He acknowledged that his plan was limited to compensation for prospective improvements, at the same time that he fully admitted the right of the tenant to be rewarded for retrospective improvements; the difficulty, however, consisted in ascertaining what they were—what was their extent, and what their value. The Government never had proposed, never had entertained, the least intention of recommending any plan to Parliament for granting any compensation to the outgoing tenants for improvements retrospectively considered: was there, therefore, no injustice in now reproaching them for not having done so? and was there not even greater injustice in imputing to them an intention to practise deception? Though they were not prepared to agree to the Bill before the House, that circumstance constituted no ground for imputing to them any want of candour. After the best reflection which he could bestow upon the subject, he could not avoid coming to the conclusion, that if they attempted to extend this plan over Ireland, the difficulty of governing that country would be greatly increased. Such a practice as the tenant-right had been described to be might very advantageously be preserved in any part of the country where it had been long established; in any place where it existed as an ancient custom a great many excellent reasons might be given for retaining it. In the north of Ireland it might be all very well; but to introduce it arbitrarily in other portions of Ireland, would, he apprehended, lead to very great injustice. He would mention Meath as one example. He was himself connected with that county, and the hon. Member for Rochdale was connected with it by property. Now, he would venture to say that the effect of arbitrarily introducing such a measure into Meath would be to punish every landlord in that county who happened to be considerate, kind, or indulgent to his tenantry. Suppose that he, being possessed of property there, having 100 acres to let, offered them in the market to the highest bidder — he would do nothing of the sort—but suppose, instead of doing that, he wished to see his tenant living in comfort and independence, able to feed, to clothe, and educate his family—suppose the land in question was worth 30*s.* an acre, and suppose that, influenced by feelings of kindness towards his tenant, he gave him that land at 20*s.*, and suppose that the tenant-right, according to the plan of the hon. Member for Rochdale, existed in Meath, a tenant might, and many of them would, the moment they got possession of land at 20*s.*, bring it into the market if it were worth more, and sell it for whatever it might bring; thus taking advantage of a generous landlord leaving his land to the mercy of a rackrent tenant, and the man to whom that landlord behaved kindly and liberally putting the difference into his own pocket—was not that the tenant-right of the north? Did any man believe that improvement could be extended by arbitrarily forcing such a system upon every part of Ireland? It was well known that in many cases where the tenant-right was exercised, the value of land had greatly deteriorated. Every one must feel that the great difficulty was to ascertain the value of land at the time improvements were made. How could it be always practicable to know that the tenant did not hold it at a reduced rent at the time of making the improvements? He did not wish to occupy the time of the House by reading long extracts, otherwise he could, from a variety of documents, lay before them many proofs of the probable ill effects of an arbitrary introduction of the tenant-right. He could sincerely say that he would readily do anything to promote improvement, but he protested against the introduction of tenant-right into every part of the country. He protested against any such attempt as this to excite hopes that could never be realised.

MR. E. B. ROCHE thanked the hon. Member for Rochdale for having introduced the present Bill, and complained that the measure of Her Majesty's Government had not been pushed forward with that degree of assiduity and perseverance which the Irish people had a right to expect. It had been on the Paper from day to day, and from week to week, and it was in as unfinished a state at this moment as when it was first introduced. The hon. Member for Tavistock, in opposing the Bill, had used the surprising argument that the misery of Ireland was caused, not by misgovernment, but by Ireland being inhabited by a Celtic and not by a Saxon population. He certainly never expected to hear this argument from a native of the county to which the hon. Member belonged. The hon. Member, he believed, was a Cornish man. There was an old rhyme—

> "By Pol, Tre, or Pen,
> You may know the Cornish men."

Now, there was no race that was more decidedly Celtic than the inhabitants of Cornwall. It was surprising that the question of race should be brought up in the nineteenth century in the manner that it had been by the hon. Member for Tavistock. Let the House look at Italy, and the fine race of people who formed its population, and it would be seen that that people, after submitting to centuries of misrule and oppression, had arisen and vindicated their claims to be treated as freemen. The Greeks, too, had exhibited a similar resolution, and the result was well known. In fact, the hon. Gentleman seemed as if he had undertaken to retail some old leading article of the *Times*. With regard to this question of tenant-right, he contended that there should be no evictions—that every Irishman located on the soil had a right, as long as he paid a fair and proper rent, to keep possession of his land, for in Ireland land was synonymous with life, in order to maintain himself by his own industry, and he could only be enabled to do so by having tenant-right. With regard to the two Bills now before the House, he considered that the Bill introduced by the hon. Member for Rochdale clearly defined what tenant-right was, while that of the Secretary of Ireland was only calculated to promote litigation. If tenant-right was so bad as it was represented to be, how did it happen that in the county of Down there were no paupers and no outrages? Yet his right hon. Friend (Sir W. Somerville) contended it would be a bad law which should give tenant-right. [Sir W. SOMERVILLE: It is a good custom, but a bad law.] Why, if it were a good custom in Ulster, should it not be extended to other parts of Ireland? It was not wanted where there were good landlords, but it was wanted as a defence against bad ones. The people of Ireland believed that against such, tenant-right was their only defence; and therefore he should, without binding himself to support all the details, vote for the second reading of the Bill of the hon. Member for Rochdale.

SIR BENJAMIN HALL, before he addressed himself to the subject under their consideration, begged first to be allowed to say a few words in reference to what had fallen from the hon. Gentleman who had just sat down, and who had accused his right hon. Friend the Secretary for Ireland for not having pushed forward with greater earnestness the project of the Government for the settlement of the question of tenant-right in Ireland. The hon. Gentleman must be well aware that the Government had only two nights in the week on which they could proceed with Government business; and these nights had for the last three weeks been taken up by debates on the income-tax, into which Members had introduced all sorts of matter, most of which was wholly irrelevant to the question at issue. It was therefore unfair, because the Members of the House had taken up the whole of the time devoted to Government business, that they should thus accuse the Government of having shown a want of energy in the prosecution of their measures. He (Sir B. Hall) would abstain from touching upon the merits or demerits of the Bills which had been introduced by the Secretary for Ireland and the hon. Member for Surrey, for the definition and legalisation of tenant-right in Ireland—they would be fit subjects for discussion hereafter. But with regard to the present Bill, he would confess that he had entertained much difficulty as to the vote he should give—he wished not in the least degree to interfere with the principle of tenant-right as it existed in Ireland, and yet he could not support the definition of that principle contained in the Bill of the hon, Member for Rochdale. But the hon. Gentleman had relieved him from the doubts he had previously entertained, for the hon. Gentleman said—

> "I do not wish my Bill to be referred to a Committee. I wish the House to determine at once on the principle as laid down in that Bill; and if you do not approve of the principle of tenant-right—not as it exists, be it observed—but as laid down in the Bill, I wish hon. Members to vote against it."

He therefore (disapproving of the principle as laid down by the Member for Rochdale) must vote against the Bill. He was, however, quite aware that it would be extremely difficult to define what tenant-right really was. It existed in the province of Ulster, and it varied in different parts of that province; and he would undertake to say that if he were to take five persons from five different parts of Ulster, that not two of them would exactly agree as to what tenant-right really meant. The right hon. Gentleman the Secretary for Ireland had stated that it "was a good custom existing in a province of his own country, but that it was very questionable whether it would be advisable to extend that custom over the whole kingdom:" that it would interfere with other rights which at present existed, and which should not be subverted; and, what was a good custom in one part of the country, might be a bad law in another. He entirely agreed with his right hon. Friend, and he would cite the county of Kent, in which a custom had existed for centuries, but which could never be extended over Great Britain. But he would ask the hon. Member seriously to consider whether this Bill would satisfy the expectations which had been held out by the agitators in favour of tenant-right in Ireland. He (Sir B. Hall) had no hesitation in declaring that it would not do so; and he did not believe that any enactments, whether they proceeded from an Imperial or whether they emanated from a domestic Legislature, could materially improve the social condition of the Irish people. They might pass measures for the protection of life and the security of property; but it was utterly absurd to suppose that they could so far control the moral conduct of individuals as to compel a man to conduct himself in every respect as became a good citizen, and to perform the duties of the station in which Providence had placed him in such a manner as to fulfil the obligations which he owed to his God and to his fellow-subjects. But in giving utterance to these opinions he might be asked by those who desired upon all points legislative interference, and too often demanded pecuniary assistance from the Imperial Treasury—"How then are these evils to be overcome?" And he had no hesitation in answering, "The evils complained of are of a social nature; they admit only of a social remedy. They have been engendered by the inhabitants of the country themselves, and by them, and by them only, can they be overcome." It is vain to suppose that an Act of Parliament could make an improvident and bad landlord a careful and considerate manager of his estates—that if he was not disposed to consult the interests of his tenants and those who might be dependent upon him, they could by legislation so change the nature of such a being as to make him their friend and protector. The very discussions they were engaged in proved that the social relations in Ireland were entirely deranged. They were called upon to compel that to be done in Ireland which in England was generally effected voluntarily. In England the interests of the landlord and the tenant were not only bound up together, but each party felt they were so united. They knew that each would act fairly towards the other; they trusted mutually to each other; there was a union and an interchange of feeling; and though he fully admitted that there were many bad landlords in England—as there would always be bad people in all great communities—yet he would assert, that an English landlord was, generally speaking, respected by his tenants, and was in fact their friend. But how stood the case in Ireland? He would not speak of the landlords as a body—he desired to guard himself against any such imputation—but he would assert, that it too frequently happened that the interests of the occupier of the soil was but seldom sufficiently considered—that the landlord and tenant had but few feelings in common — that the latter were permitted to remain in a state of ignorance, without the least chance of agricultural instruction being afforded them by their principal, and were allowed to dwell in filth and to live with their own swine. He would not go so far as to say that the bad landlord was the rule and the good one the exception; but he would say, that bad landlords were much too general in Ireland, and it was mainly owing to their misconduct, and the improvidence of those who had gone before them, that Ireland was in its present condition; and again he would assert, that the evils were much more of a social than they were of a political nature. He would take a county in Ireland as an example, as an illustration of the argument he had attempted to adduce, and he would select the county of Tipperary — the very focus of crime; remarkable not only for the extent of its outrages, but for the atrocity of their nature. It was often said that Ireland was one vast anomaly; but he would undertake to say that the county of Tipperary presented such an anomaly as never was imagined by the mind of man. There was the richest land, and upon it the poorest occupiers—tenants complaining of high rents, and yet obtaining from the soil only one-third of the produce it was capable of yielding — occupiers of land demanding fixity of tenure, or security by lease, of their occupancy, and yet, frequently, as soon as they had obtained a lease, parting with that property which they before so valued that they would have murdered their neighbour to possess it. Again, they heard of tenants complaining of absenteeism, and yet when their landlord went amongst them, they shot him, and illuminated the whole district to testify their joy at having got rid of him for ever. Such was not a very overdrawn picture of the state of social relations in Tipperary. And how stood the state of crime in that county? He cited from memory, but he believed he was right in saying that the total number of outrages specially reported to the constabulary in Ireland, 1844, according to Lord Devon's report, was 6,337, out of which 1,001 were agrarian outrages; and of the gross number no less than 907 (or about one-seventh of the whole) were reported from Tipperary; and of the agrarian outrages there were 254, or one-fourth of all the agrarian outrages committed in Ireland. Now, could any one seriously believe that this wonderful anomaly, and the frightful consequences resulting from it, could arise from political causes wholly, or even to any great extent in part? Must there not be something radically bad in the social relations of the different classes of society in that country, to account for the disorganised state of its population? When Lord Devon's Commission inquired into the state of the county of Tipperary, a vast amount of evidence was taken, which all tended to confirm such a supposition. Mr. Maher, who was then manager of some of the largest estates in the country, and who was now a resident proprietor and Member for the county, gives evidence as to the ignorance of the tenants, and the indifference and want of consideration on the part of the landlords. He says, it is a common thing for a small farmer to break up ley land, to take two crops of potatoes, and then alternate crops of potatoes and oats, till the land is incapable of yielding any more when it is left alone. He is asked, if the landowners take no steps to introduce a better system of husbandry, such as having a model farm; and he answers, "No; there is not a model farm in the district—there is not one in the whole county of Tipperary." Now, if that was the case generally, or even partially, was it not a disgrace to the country? The peasantry, they were told, were reduced to the lowest state of degradation, both of mind and body: there was no attempt to elevate them from the depth of misery into which they had fallen; all tended to depress them, and those who should be their protectors left them to drag out a miserable existence, till they became as inured to crime as they were to hunger; and yet when it was stated that the present Lord Lieutenant was desirous of sending round agricultural lecturers, the idea was laughed at by some persons, and ridiculed by the self-styled patriots of Ireland as an absurdity. But he (Sir B. Hall) considered that Lord Clarendon had done more by this one simple act than all those patriots who scorned it had ever attempted: he endeavoured to teach the poor tenants that which they had no opportunity of learning, and which was essential to their well-doing; and this attempt, being of a nature so simple and so practical, was ridiculed by those who always desired to confine themselves to schemes which were visionary and impracticable. He (Sir B. Hall) believed that if the poor of Ireland were looked after by their superiors—if they were cared for—if they were instructed in the management of their holdings—if there was any attempt made to elevate them from their present degraded position—they would be found to be tractable, grateful, and industrious, and would ultimately become good and useful members of society. But he was told "tenant-right will do all this." He denied such an allegation. He did not believe in the sincerity of purpose for which the cry of tenant-right was raised in Ireland—he believed it was put forward by those who loved to foster agitation; who found the cry for repeal was daily more unheeded, and who were obliged to invent some fresh cry to swell their numbers and replenish a sinking exchequer. He had no confidence in those persons: he agreed with what had been said by one of the most respected Roman Catholic clergymen in Ireland—he meant Dr. M'Ennery, of Tralee, whose words were entitled to the respect of all men. That reverend gentleman, in an address to his congregation on New Year's eve, after denouncing the conduct of those who had been implicated in the recent outrages, said—

> "You must not put your reliance on the press or public speakers, or on letter writers; they'll pass into their graves—sink into oblivion; their journals, speeches, letters, will pass into oblivion before them; they'll pass themselves into oblivion, and leave the country more wretched, more dependent, less powerful in its own energies, and more miserable and more discontented than they found it."

He then said—

> "They must rely in part on the benevolent disposition of the Queen towards them—and the measures that he hoped the Ministry would adopt."

He then referred to the duties of the great body of the people, and said—

> "It is a truth that our people are bad farmers, slovenly, ignorant. Like their bodies and minds, they leave the fertile lands of Ireland fallow—they work not the soil—they promote not cleanliness in their houses—they allow our lands to lie idle from generation to generation—they continue to build, like the swallows, and after they build they leave the house in the same state of neglect and filth—they leave their fields from year to year to the action of the winter rains, and the abrasion of the weather. Who have the power to make this unfortunate people what they ought to be, by bringing fertility to the land? The persons having this power are bound to those classes. Those who can perform the work are the landlords placed over the tenants of Ireland. The proprietor owes a duty to the people—to give them fair play, to encourage them, to show them how to act, and, with the blessing of God, he will find the people not only willing to work and to be taught, but he will reap a harvest of gratitude when he shall have placed them in a new condition."

Such was the opinion of a man who lived with the people. But he would now caution the hon. Member for Rochdale not to indulge in any very sanguine hopes that even if his Bill were to pass, that it would satisfy those who were agitating for tenant-right in Ireland. He had already told the House what his own opinion was of the cry of tenant-right. He would now state the view of that question as given by one of the leading agitators in Ireland. At the great meeting at Kilmacthomas, held in October last, Mr. John O'Connell thus defined it:—

> "Tenant-right is just this. The tenant, no matter whether he be a tenant-at-will or a tenant by lease, shall not be turned out until he shall have put up the possession of his holding to a kind of auction and sold it to the highest bidder; even if there is no improvement in the land, the occupancy of the farm is still to be sold."

Why! this would be nothing less than a thorough confiscation of property, and it would be much better at once for the landlord to say, "Let me be an annuitant, or a charge upon the property, and do what you like with it." But at a meeting held a month subsequently, on Sunday, November 15, when Archdeacon Laffan was present and made his memorable speech, Mr. John O'Connell, in order that there might not be the least mistake as to his intentions, said—

> "Now, what is tenant-right? It is this, that a tenant, whether he be a tenant-at-will or a tenant with an expired lease, shall not be obliged to leave the land until he has sold the possession of it to the highest bidder he can find, and if he cannot find a bidder the landlord shall not turn him out"

Such was the opinion of Mr John O'Connell, the supposed leader of the Irish people; he would not comment upon it, but it only proved that if such was the idea entertained by the people and instilled into their minds by the agitators, the Bill before the House would not be very likely to satisfy their expectations. But he would now proceed to show, that although this definition of tenant-right might sound very agreeable to some persons, yet it did not prove that the property of those who advanced it was in a better condition than the estates of their neighbours. He would call the attention of the House to an estate in the county of Kerry which belonged to a gentleman who was a great advocate of tenant-right, and of which this account is given:—

> "I entered several of the cottages at this place, within one mile of the mansion. The distress of the people was horrible. There is not a pane of glass in the parish, nor a window of any kind in half the cottages. Some have got a hole in the wall for light, with a board to stop it up. In not one in a dozen is there a chair to sit upon, or anything whatever in the cottages, beyond an iron pot, and a rude bedstead with some straw on it, and not always that. In many of them the smoke is coming out of the doorway, for they have no chimneys. In one that I entered, the door was taken off its hinges, and made a table of, by placing it on two turf baskets. The tenantry are worse off than any tenantry in Ireland; they are in a more lost, filthy, wretched, and neglected condition; and, to use the words of Lord Devon's report, 'The agricultural labourer on this estate is badly housed, badly fed, badly clothed, and badly paid;' and the only food of the tenantry is the potato."

[*Cries of* "Name, name!"] He would tell the House the name of the property. It was Derrynane, and the name of the author was Mr. Campbell Foster, the *Times*' Commissioner, whose letters gave a great deal more insight into the state of Ireland than some persons desired. Now, he was quite aware that a great deal had been said about this account; but he had not read any positive contradiction to it, and therefore it must be inferred that it was correct. It was also quite true that the late Mr. O'Connell is reported to have said, "He wished the writer had as many pains in his bowels as there were panes of glass in Derrynane Beg;" to which Mr. Foster replied, "He hoped he might never have more." But the hon. Member for Cork had interrupted him (Sir B. Hall) by expressing a desire to hear of some place where tenant-right or fixity of tenure was established, and where destitution equally existed. Had the hon. Gentlemen ever been in the county of Donegal? He would soon satisfy the hon. Gentleman's wishes, and he would show, first, that not only where fixity of tenure had been established, the greatest extent of destitution had existed, but he would show that when a good and benevolent man took possession of that district, the destitution vanished, and prosperity reigned—that the evils of Ireland arose more from social than from political causes—that they might be arrested by the inhabitants of the country themselves—and that there was not such absolute necessity for legislative interference. Let the hon. Member consider for a moment what had been done by one man in the wildest part of Ireland; how a district had been brought from a state of barbarism to, comparatively speaking, a high degree of civilisation; and how from the most abject penury the population of that district had been raised to a happy and a prosperous degree of independence. He alluded to what had been done at Sweedon by Lord George Hill. His property, lying on the north-west coast of Ireland, in Donegal, consisted of no less than 23,000 acres. The people were literally left to themselves, to do as they pleased with the property. They divided and subdivided according to their own will and pleasure. The inhabitants had not only tenant-right in its fullest extent, but absolute fixity of tenure. The agents of the absent landlords did not attempt to enforce the collection of rent; they took whatever was offered them at the fairs by the wretched cottiers. The chief employment was illicit distillation, with all the vices attendant upon such an occupation. Their drunkenness was only exceeded by their filth. He would give a very brief description of their condition, written by a person who lived amongst them:—

> "They had amongst them one cart, one plough, twenty shovels, thirty-two rakes, two feather beds, and eight chaff beds; they had no clocks; there was not a looking-glass in the parish above threepence in price; no garden vegetables or fruits of any kind but potatoes and cabbage.

None of their married or unmarried women can afford more than one shift, some not any; whole families of sons and daughters of mature age lie indiscriminately with their parents—their beds are straw, green and dried rushes, or mountain bent; their bed clothes are either coarse sheets, or no sheets, and ragged filthy blankets. I can show 140 children bare naked, and who were so during the winter, and hundreds covered with disgusting rags. Men and beasts are housed together; some houses have within their walls from one cwt. to thirty cwt. of dung; others have from ten to fifteen tons of dung, and are cleaned out once a year."

Now this was in 1837. People in England seeing this description of misery subscribed and saved the population from starving. In the year following, that is, in 1838, Lord George Hill purchased this estate, with a determination to reclaim the property, to render it productive, to improve the condition of the people, and to make these very people the instruments with which he would work out his improvements. It was an undertaking that required talent, industry, and perseverance. The noble Lord possessed these admirable qualifications, and he succeeded. He commenced by endeavouring to infuse a spirit of confidence into the wretched natives, who at first viewed him with distrust and apprehension, disliking any innovation and any interference with their supposed rights. He laid down a certain course, from which he never deviated. He treated them with kindness, but yet with firmness. They began to respect him and to feel that his object must be a good one; and so thoroughly did he gain their confidence, that without a threatening letter being written, or a shot being fired, he was able to dispossess every man of his tenement. His agents then marked out a small plot of ground for each. Lord George Hill offered premiums for various objects; but this was, in their estimation, going a step too far. The poor people could not even then believe that any person would offer such a boon, unless there was to be a corresponding benefit. They imagined he had some latent object. They, therefore, would not compete. The following year more confidence was inspired, but the competitors were few. The next year they increased; and now the members of this little colony vie with each other to obtain the prizes given them by their noble friend, and to merit the approbation of good conduct, which accompanies the presentation of the reward of their successful industry. A gentleman who had adjudged the premiums in 1843 gives the following account of the district:—

"We have to express our satisfaction at the evident improvement in the mode of reclaiming and cultivating boggy and mountain lands by draining and spade husbandry. We are happy to find so much attention given to the home manufacture of woollens, the quality of the cloths, the flannels, stockings, &c., being most creditable. But in nothing have we had such pleasure as in the marked improvement in the dwellings and offices of the tenants. We behold in all directions neat and comfortable cottages, with well-thatched roofs and whitewashed walls, giving an aspect of health and cheerfulness; in the interior of the houses the rooms are clean and orderly—the beds and bedsteads comfortable and suitable, with a supply of bedclothing and furniture equal at least to the wants of the inmates, and in many instances showing a taste in the arrangement for which we were quite unprepared."

And all this had been effected in five years; and how has it been done?—by public money? None has been asked for or granted. By proselytising the population? They are still Roman Catholics. Was it by Anglicising the district, as the hon. Member for Tavistock would desire, and placing others in their stead? He (Sir B. Hall) was proud of being a Celt, and he believed they were not inferior to any other race in the world. Here the previous occupiers of the soil still continue the occupants. Was it effected by the sordid mercenary cry of repeal of the Union—the sustenance of a few, the robbery of thousands? Far from it. Was it produced by monster meetings or agitation? Not at all: the whole was imagined and carried out by an Irish nobleman, a resident Irish landlord. He saw the ignorance of the people, and he resolved to instruct them: he found them drunkards, and he made them sober; instead of leaving them degraded to the level of brute beasts, he had raised them to the standard of intelligent human beings. All this was done without one act of the Legislature. Was he not right in saying, that the social evils of Ireland could be met by social remedies, and that those remedies were to be found in a proper discharge of their duties by the several classes of society in Ireland? He had cited an example of what might be done, and he appealed to those who had any stake in this country to follow it. Parliament could do but little: the cry for money would no longer be responded to—it was too stale, too unprofitable an expedient. The English Members had been taunted with their want of knowledge of Ireland by those who professed to have the exclusive knowledge of that kingdom. But the people began to ask what had these wise men done? They talked, but where were their acts. If they had any property, could they prove that it was better managed than the estates of other people? Did the dwellings of their small tenants present such an aspect without, as would assure them that peace, and comfort, and happiness reigned within? or did their tenants present the same aspect of poverty, the same wretchedness, and the same degradation, as the tenants of less clamorous but equally neglectful agitators? The English people began to feel distrust, and their sympathy relaxed. They knew of the resources of Ireland, and they saw them unemployed; they heard demands for public money for the commonest improvements, and they said, "Why don't the Irish help themselves, and why is the Government to do everything and the people nothing; whilst it is our boast that our grandest schemes and our finest wishes are projected and completed by ourselves?" Dr. Kane says—

> "Why are our harbours empty—our mines unworked, our lands untilled, and our country impoverished?" and he answers and answers truly, "The fault is not in the country but in ourselves: they were apt to speak of their country in the language of poetry, to describe it as the first flower of the earth, the first gem of the sea."

It might have been so once, for nature had indeed been most beautiful. But the day had long since passed when it merited such a poetical description. The flower had faded for want of culture—the gem had lost its splendour: they might revive the one, and restore the lustre of the other, but not by the course which they were now pursuing. They must establish amongst themselves those social relations to which he had already adverted; they must inculcate a spirit of industry, and promote a love of enterprise; they must endeavour to profit by the advantages with which nature had blessed them, and which were not exceeded in any other country in the world; in short, to use the words of his noble Friend at the head of the Government, "You must help yourselves, and then God will help you." He was quite sure that if Irish Members expected that any Parliament could by legislative enactments alter and improve the whole social condition of their country, they would be grievously disappointed; they could do more by their own exertions than any Legislature would enforce; and though he could not give his assent to the principle as laid down in the Bill of the hon. Member for Rochdale, he wished it to be understood that he would not interfere with tenant-right as it existed; but having been called upon to adopt the definition which had been laid down in the Bill, and as he could not agree in that definition, and as he did not believe that the Bill would be satisfactory to the country for which it was intended to legislate, he must record his vote against the Motion of the hon. Gentleman.

MR. SADLEIR thought the hon. Baronet (Sir B. Hall) was embarrassing questions of this class by the continual introduction of irritating topics. With reference to the "tenant-right," he felt that a great error was committed by those who cried out for it without defining what particular tenant-right they advocated; for the practice, not recognised by law, differed in different parts, even of Ulster. Properly understood, tenant-right was not inconsistent with the just and full rights of the landlord. He (Mr. Sadleir) was not in favour of the Amendment moved by the hon. Member (Mr. Trelawny); it would only postpone remedies; but in voting for the second reading of this Bill, he should do so avowing that it contained at present the seeds of interminable litigation, but hoping that the result of the discussion of this and the Government Bill would be to send the subject before a Select Committee. He did not believe that the Government were at all indifferent to the evils by which Ireland was afflicted. The subject of the operation of the poor-law in that country would force itself upon the attention of Parliament. It would not be merely the question of the propriety of narrowing the area of taxation; but that was a very important point. The hon. Member was proceeding to compare the size, rateable property, and population of various counties in England and in Ireland, and to show that the number of unions and electoral divisions in Irish counties was very much less than the number of unions and parochial divisions in English counties, when

VISCOUNT CASTLEREAGH rose to order: Many a Gentleman wished to be heard upon the subject before the House, and the hon. Member ought not to hinder them by going into a discussion on the poor-laws.

MR. SADLEIR would bow to the feeling of the House.

MR. CALLAGHAN did not think that the Bill of the hon. Member for Rochdale went to the extent that was necessary to settle satisfactorily the relations of landlord and tenant in Ireland, though, as he had always supported that hon. Member's propositions, he felt disposed to act in the same manner with respect to that measure. The system that prevailed was a source of great uneasiness and impoverishment to the tenantry of Ireland. He had always felt that the Catholic tenant was not so well considered as the Protestant tenant in that country; and he hoped that the Government would do something to create an equality in that respect between them. He objected in some sort to the Bill, because it only affected tenants-at-will, who formed but a small portion of the tenantry of Ireland.

Debate adjourned.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, March 23, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.—Lord Dormer took the Oath prescribed by the Act of 10 Geo. IV. to be taken by Peers professing the Roman Catholic Religion.

PUBLIC BILLS.—1ª Bail for Manslaughter.

2ª Queen's Prison.

Reported—Administration of Oaths, &c., Court of Chancery.

PETITIONS PRESENTED.—From Ashbourn and Edinburgh, against the Diplomatic Relations, Court of Rome, Bill. —From Bannockburn, for the Repeal of the Game Laws.—From Middlewich, against the Admission of Jews into Parliament.—From Bradford, for the Enactment of Sanitary Measures.—From Parish Schoolmasters of Inverary, complaining of the Inadequacy of their Remuneration and for Relief.—From Members of several Lodges of the Independent Order of Odd Fellows, for the Extension of the Provisions of the Benefit Societies Act to that Order.

LEGACY DUTY ON CHARITABLE BEQUESTS.

The BISHOP of OXFORD having presented several petitions from charitable institutions, for the remission of the legacy duty on Charitable Bequests, said he wished to call their Lordships' attention to the fact that the whole of the duty levied in this way amounted to between 10,000*l.* and 15,000*l.*, which was no very great advantage to the revenue, while it was a very great injury to charitable bequests.

The MARQUESS of LANSDOWNE considered that those petitions were eminently entitled to the attention of the House, inasmuch as they came from a numerous and most respectable class of persons, who had contributed much by their exertions through the country to relieve the misery and distress of the people. He felt assured, from the manner in which those charitable institutions were generally administered, that their management was highly honourable to those to whom their administration was entrusted. But he need not say that it would be impossible for him in that House—where no proceedings could originate for the purpose of giving relief to those parties—to state what might be the disposition in the other House, or even the disposition of Her Majesty's Ministers in another place, without communicating with them on the subject. This, however, he would say, that whatever might be the merits of the case, as collected from the parties who made the application, the times were peculiarly unfavourable for making any application for the remission of any duty or tax whatever. However, if the time should ever arrive for a remission of the tax, he was sure that the suggestions of the petitioners would receive the most favourable attention.

SOCIETIES OF ODD FELLOWS.

LORD BEAUMONT begged, pursuant to notice, to ask the noble Lord near him whether it was the intention of Her Majesty's Government to take any steps in the present Session to legalise the societies called the Societies of Odd Fellows?

The MARQUESS of LANSDOWNE, before answering the question of the noble Lord, begged to observe that those societies to which he had referred were composed in general of persons extremely respectable, extremely well disposed, and extremely loyal, and were in every respect entitled to the favourable consideration of the House. At the same time, there was something in the constitution of those societies which took them out of the range of the Acts relating to the general class of friendly societies. Now, the mode which he thought would be found most convenient for giving relief to those societies would not be by a peculiar Act intended for themselves alone, but by some extension of the Act relating to Friendly Societies, and which was now the law of the land. He found, on inquiry, that a Bill had actually been introduced into the other House of Parliament by an individual Member of the House of Commons, with the consent of Her Majesty's Government, for the purpose of effecting some amendment in the law on this subject. The first clause of the Friendly Societies Act provided that societies enrolled for any other purpose, which should be certified to be legal by the Attorney General or the Lord Advocate, and allowed by the Secretary of State, should come within the provisions of that Act. That clause could not be extended to these societies, owing to there being some peculiarities attached to them. At the same time, he was not prepared to say that it might not be desirable to give these bodies, at all events, the benefit which was now derived to other societies under the existing law, by removing the illegality that at present attached to them. But the most convenient way of doing so, he thought, would be by the Bill which had been already introduced into the House of Commons for extending the provisions of the law relating to benefit societies; provided, nevertheless, that this could be done upon principles consistent with justice to the parties themselves.

Lord BEAUMONT was glad to hear that Her Majesty's Government entertained so good an opinion of the respectability and loyalty of these bodies, and were willing to assist them in carrying out their objects. He would not, therefore, as he had intended to do, lay a Bill on the subject on their Lordships' table, but would wait to see what would be the result of the Bill which had been introduced in the other House.

ADDITIONAL BISHOPS.

Lord STANLEY: My Lords, it will be in your Lordships' recollection that in the course of last Session a Bill was introduced by Her Majesty's Government for the establishment of an additional see—that of Manchester—and that at the time the Bill was introduced by Her Majesty's Government, an announcement was made by the Government, and which, I believe, was a matter of previous negotiation and contract with the heads of the Church, that in consideration of an additional number of bishoprics—stated to be in number four—there would not be any objection on the part of the heads of the Church in this House, or elsewhere, to the introduction of a principle —one to which I, for one, most conscientiously objected—and that no difficulty would result from the proposed non-sitting in the House of Peers of the additional Bishop so to be created. That statement was made on the part of Her Majesty's Government to the heads of the Church by a most reverend Prelate, now, for the Church, unhappily, no more, and the announcement was distinct and positive that four additional Bishops at least should be appointed, and that the commission had, in point of fact, been issued, for the purpose of arranging the precise limits, and a fresh distribution of the ecclesiastical dioceses. Not only was that understanding entered into between Her Majesty's Government and the heads of the Church, but that intention on the part of Her Majesty's Government was distinctly notified and stated in the preamble of the Bill itself. I believe the fact was that a Commission was at that time issued with this distinct notification made to the Commissioners, that in the first place they were to devise a scheme for a new distribution of the ecclesiastical dioceses in this country, with the understanding that it was the desire of Her Majesty that the dioceses of Bangor and St. Asaph, which it had been in contemplation to unite, should remain separate; that no addition should be made to the number of spiritual Peers sitting in this House; and that four additional Bishops, including the Bishop of Manchester, should be created when the measure should receive Her Majesty's sanction. It is quite true that, though the preamble of the Bill contained that recital, there was no corresponding enactment in the Bill itself. The Bill went only to confirm the intentions of Her Majesty so far as related to the See of Manchester. The Bill contained no words which referred to the creation of three additional sees. The preamble of that measure, indeed, as originally drawn up, stated what were the views and intentions of the Queen and Parliament with respect to the appointment of four additional bishops; but in the course of the Bill's progress through the other House, the preamble was amended by the omission of those words which referred to the three other sees. A statement, however, was made by the First Lord of the Treasury, in his place in the House of Commons, to which, as the words were spoken in a former Session, I may refer. He said that it was the intention of Her Majesty's Government to proceed with the appointment of that additional number of bishops; that Her Majesty's Government did not assent to the proposition, then under consideration, to mix together the two funds known by the names of the General Fund and the Episcopal Fund, the one being for the creation of additional bishoprics, and the other for the augmentation of small livings; and that it was their intention to proceed to appoint additional bishops so soon as the funds at the disposal of the Ecclesiastical Commission should be sufficient for that purpose, In consequence of the lamentable events which have taken place in the course of the last year, the Church has been deprived of the services of two highly venerated Prelates; and in consequence of their death a considerable addition has been made, prospectively at least, to the funds at the disposal of the Ecclesiastical Commissioners. Under these circumstances, I think this a fitting occasion to ask the noble Marquess whether he adheres to the declaration made last year, of the intention of the Government to abide by the permanent distinction between the Episcopal Fund and the General Fund; and whether, having a surplus at their disposal—for I apprehend there must be a surplus—it is the intention of Her Majesty's Ministers to apply that surplus by filling up and carrying into effect, so far as the fund will permit, the plan which they announced last year of making an addition to the episcopal body? I understand that, by the decease of the Archbishop of York, 2,000*l.* a year falls into the funds of the Ecclesiastical Commission; and by the decease of the Archbishop of Canterbury, 10,000*l.* a year. These two sums, after providing for the addition to the see of Chester, will, at all events, leave a difference in favour of the Episcopal Fund of between 7,000*l.* and 8,000*l.* The first question which I wish to ask is, whether it is the intention of the Government to adhere to the distinction between the two funds? and the second is, if they have funds at their disposal, whether it is their intention to proceed without delay to the formation of one or more additional bishoprics?

The MARQUESS of LANSDOWNE said, that he was happy to state that Her Majesty's Government entertained the same views which it did when the Bill mentioned by the noble Lord was introduced, as to the expediency eventually of making an increase in the number of bishops in reference to the amount of population and the spiritual condition of particular dioceses. The noble Lord had stated most correctly, that the Bill of last Session, which provided only for the establishment of the new See of Manchester, did recite in its preamble, that it was the intention of Her Majesty to make the addition when it might be convenient to do so; but that that preamble was struck out in the other House, because it was conceived that it had nothing to do with the actual provisions of the Bill, which was simply to create a new bishopric of Manchester. This was the state in which the matter stood at present. Whenever there were means sufficient for the purpose, it would be for Her Majesty, in conjunction with the two Houses of Parliament, to consider whether further addition should be made to the number of bishops, and whether such a measure would be the best appropriation of the Episcopal Fund. Therefore, when there were means for the endowment of another bishopric, that question would be considered in the way he had just mentioned. He must add, that the amount of the fund had been overstated by the noble Lord. He believed that it fell far short of the sum which he had stated. Under these circumstances, and in consequence of the lamented decease of the two most rev. Prelates, the Commissioners had made no report on this subject; but when they should be in a situation to make a report, and there should be sufficient funds, then the whole matter would be taken into consideration. With regard to the application of the Episcopal Fund, he apprehended that the object mentioned by the noble Lord would have the preferable claim upon it.

The BISHOP of SALISBURY was sure that the Church would be glad to learn that Her Majesty's Government still adhered to the expectation they had held out last Session as to an increase of the number of bishops. He expressed a hope that on inquiring into the subject sufficient funds would be found to enable the Government to carry out its views on this matter.

LORD MONTEAGLE doubted whether the notions which prevailed amongst the bishops as to the expediency of enlarging the episcopal body, prevailed also amongst the laity, who constituted a very considerable portion of the Established Church. He thought, also, that an opinion was entertained that the separation of the Episcopal and General Funds was not conducive to the best interests of the Church.

The BISHOP of OXFORD wished to express his dissent from the sentiments of the noble Baron who had just sat down; for he believed that an impression of the necessity of appointing additional bishops very generally existed in the minds of the laity. He considered that very satisfactory proof could be shown of the necessity of keeping the two funds, the General and Episcopal, separate; but at all events that arrangement had been made by Parliament, and not at the suggestion of the bishops. He expressed his hearty concurrence in what had fallen from the noble Marquess who represented Her Majesty's Government in that House, in reply to the question of the noble Lord opposite; and he rejoiced to hear that it was the intention to proceed in the course which they had formerly announced.

LORD LYTTLETON begged, as a lay member of the Established Church, to confirm the statement of the right rev. Prelate, that amongst them there was a strong opinion of the necessity of increasing the number of the bishops. He conceived that in that respect his noble Friend opposite (Lord Monteagle) was mistaken, and that the time had now arrived for carrying out that design which had been already intimated.

LORD REDESDALE defended the principle of the separation of the Episcopal and General Funds. He, too, thought that the time was arrived for making the proposed addition to the number of bishops; and that the earliest opportunity ought to be taken in carrying out that engagement in which so much confidence had been placed. He regretted that the Government had shown such lukewarmness on the subject, and could not help suspecting that the announcement last year of their intention to create additional bishops had been made with a view to the general election.

The EARL of HARROWBY added his testimony to that of the noble Lord who had just sat down, that the clergy and laity were in favour of increasing the number of the bishops.

The MARQUESS of LANSDOWNE indignantly denied that the announcement last year by the Government had been made with the view of influencing in any degree the elections that then took place. He wished merely to say that he agreed with the right rev. Prelate (the Bishop of Oxford) with respect to the application of the two funds. If it should be thought fit to erect other bishoprics, those bishoprics would have a preferable claim on the Episcopal Fund. At the same time he could not give any pledge that under any circumstances no part of the Episcopal Fund should be applied to other purposes which might be deemed to be for the welfare of the Church at large.

After a few words in explanation from the BISHOP of OXFORD, subject at an end.

House adjourned.

HOUSE OF COMMONS,

Thursday, March 23, 1848.

MINUTES.] PETITIONS PRESENTED. From Mutlinavat (Kilkenny), for Repeal of the Union.—By Sir De Lacy Evans, from the Parish of St. James, Westminster, for a Better Observance of the Lord's Day.—By Mr. George Hamilton, against a Relaxation of the Law of Marriage.—By Mr. George Hamilton, from Members of the Bath Church of England Lay Association, complaining of the Conduct of Roman Catholic Clergy (Ireland).—By the Earl of Arundel and Surrey, from Broughton and Skipton; and by Mr. H. Baillie, from Lochaber, in favour of the Roman Catholic Relief Bill.—By Mr. Henley, from Witney (Oxford), and Bury (Lancaster), for Repeal of the Duty on Attorneys' Certificates.—By Mr. Anderson, from Lerwick, for Inquiry into the Excise Laws.—By Mr. Ewart, from Leighton Buzzard, for Retrenchment in the Expenditure.—By General Arbuthnott, from Justices of the Peace of Kincardineshire, for Repeal of the Inventory Duty (Scotland).—By Mr. H. Baillie, from Inverness, and other Hon. Members, from several Places, for Exemption of Charitable Bequests from the Legacy Duties.—By Mr. Macgregor, from Glasgow, and by Mr. Hume, from Brechin (Scotland), against Increase or Continuance of the Property Tax.—By Mr. C. Buller, from Bedford and Hertford, for Rating Owners instead of Occupiers of Tenements.—By Mr. Hume, from Charles Evans, of Tavistock Place, Saint Pancras, for Revision of Stamp Duties.—By Dr. Bowring, from Great Bolton, and by Mr. Ewart, from Reading, for Reduction of Duty on Tea.—By General Arbuthnott, from Justices of the Peace of Kincardineshire, for Alteration of the Banking Law.—By Mr. W. Fox, from several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for Extension of the Benefit Societies Act.—By Alderman Copeland, from the London Association for the Protection of Trade, for Alteration of the Law respecting the Central Criminal Court.—By Mr. Cumming Bruce, from the Presbytery of Tain, and by other Hon. Members, from a number of Places, against the Diplomatic Relationns, Court of Rome, Bill.—By several Hon. Members, from a number of Places, for Repeal of the Game Laws.—By Mr. Beckett, from Leeds, and by other Hon. Members, from several Places, for Sanitary Regulations.—By —Lord J. Stuart, from Inverary, respecting the Herring Fishery (Scotland).—By Mr. Devereux, from Wexford, for Alteration of the Law of Landlord and Tenant (Ireland).—By Mr. Bateson, from Dunboe (Derry); and from Garvah (Londonderry), against the Landlord and Tenant (Ireland) Bill.—By Dr. Bowring, from Cheltenham, and by Mr. Hume, from Ledbury (Hereford), for Retrenchment in the Naval and Military Expenditure.—By Mr. Fergus, from Charleston, Limekilns, and its Neighbourhood, against Repeal of the Navigation Laws.—By Dr. Bowring, from Bolton, and by Mr. Walter, from Nottingham, respecting Deductions from Half Pay Pensioners (Army).

WRIT FOR HARWICH—ELECTION LAW.

MR. F. MACKENZIE moved—

"That the Speaker do issue his warrant to the Clerk of the Crown to make out a New Writ for the Election of a Burgess to serve in this present Parliament for the borough of Harwich, in the room of John Attwood, Esq., whose Election had been determined to be void."

MR. BLACKSTONE felt it to be his duty, on a former occasion, to move that a new writ be not issued for this borough until the evidence taken before the Committee in reference to the last election was printed and submitted to the House. After reading through the whole of that evidence, he confessed he did not see any grounds for proposing to subject the borough to any great degree of punishment, such as that of disfranchisement. It was quite apparent, however, from that evidence, that when Mr. Attwood went to canvass the borough, the electors thought it a good time to draw him out and make him open his purse-strings; and that, so far as they were concerned, they were quite prepared to resume their old corrupt practices again. It was evident that it was from no change in them that there was not as much bribery as usual at the last election. He begged to call the attention of the House to the fact that the borough of Harwich seemed to have been always in particular favour with the Government; for when Lord Grey introduced his Reform Bill, it was understood that only those places which had more than 4,000 inhabitants should have two Members, and that where the number of inhabitants was below 4,000, such place should lose one seat. It having been found, however, that the borough of Harwich had only 3,371 inhabitants, the Government added an adjoining parish with 936 inhabitants, thus bringing the number up to 4,307, and saving the borough of Harwich from being placed in Schedule B. At present the number of inhabitants was only 3,829, being a falling-off of 10 per cent. He believed that the neighbourhood of Harwich was populous, and therefore he begged to move for leave to bring in a Bill for extending the limits of the borough of Harwich, with a view to increase the number of electors of the said borough.

Mr. HUME rose for the purpose of suggesting another mode of proceeding. If Harwich had stood alone he would have entirely concurred with the hon. Member; but when he remembered that Great Yarmouth, Kinsale, Lancaster, Carlisle, Lincoln, Dundalk, Aylesbury, Bewdley, Derby, and Horsham, were all in the same position as regarded bribery and treating at the last election, it did appear to him that it was incumbent upon the House to consider whether some measure should not be taken to vindicate its character—to ascertain, if possible, why those cases had occurred—in what way the bribery and treating had been conducted, and also to what extent. It was perfectly well known that when a petition was presented against the return of a Member, and referred to a Committee, that Committee generally contented themselves with taking evidence to the extent merely that would invalidate the return; and the House was never informed of the real extent to which the bribery and corruption had been carried. He considered, however, that it would be more consistent with the character of the House were the writs in all these cases suspended, and a Committee appointed to inquire why so much bribery and treating had appeared on the present occasion. The Committee might probably be able to suggest some modification of the existing law; for, if he understood rightly, some of the Committees had decided the cases before them in such a way as, if followed out, would invalidate the return of every Member in that House. It was, indeed, scarcely possible—looking to the decisions of some of these Committees—for any Member, however pure might have been his motives or however careful his conduct, to avoid being made amenable to the law under the existing system. Did not that show the necessity of the House, not only considering the best means of preventing bribery, but also considering whether the existing law on that subject might not be in fault and the cause of great oppression?

Mr. F. MACKENZIE said, that the simple question before the Committee was, whether a new writ should be issued for the borough of Harwich? Now, the hon. Member for Wallingford (Mr. Blackstone) had admitted that, as far as the evidence respecting the last election was concerned, there was no ground for refusing the writ; and the House could hardly refuse it on the ground of the evidence taken before Mr. Roebuck's Committee, seeing that it had been agreed on that occasion that if evidence was tendered in a frank and open manner no penal consequences would ensue. As far as he could make out, there was the greatest possible symptom of improvement in the borough of Harwich; and he had heard nothing whatever to justify the House in suspending the writ. With regard to the proposition of the hon. Member for Montrose, he thought that a more monstrous injustice could not be perpetrated than to hang up this case until all the other controverted elections were decided. He should persevere in his Motion.

Sir B. HALL entirely differed from the hon. Member for Peebles-shire with regard to the alleged improvement in the borough of Harwich. He thought that, whether as regarded the conduct of the electors or the candidates, there had been a change but not an improvement. If hon. Members would look at the evidence which had been laid before the Committee, they would find that a new system of corruption had grown up at Harwich, in consequence of the proceedings at former elections having been shown up before Mr. Roebuck's Committee, and it being now impossible to give money in direct bribery. If hon. Members would turn to the evidence of Mr. Cottingham, house agent for Mr. Attwood, they would find that it was made a condition in the letting of Mr. Attwood's house property at Harwich that the tenants should vote for him; and that a Mr. Watts, one of the tenants, not having voted for Mr. Attwood, was turned out of his tenement. The evidence taken before the Committee, indeed, afforded the clearest proof that it was the intention of Mr. Attwood to keep his tenants subservient to him. He denied that the constituency had improved in numbers any more than in purity, and expressed his firm conviction that if the House allowed writs to issue to boroughs notorious for corruption, and where new systems of bribery had been introduced to supersede the old, they would get themselves into disrepute, and would soon be under the necessity of introducing new schedules, or passing a new Reform Bill.

Mr. BAILLIE COCHRANE said, that nothing could be harder or more monstrous than some of the recent decisions of the Election Committees; and he trusted the suggestion of the hon. Member for Montrose would be adopted.

Mr. HENLEY saw no reason whatever for suspending the writ for the borough of Harwich, because, whatever might have been the practices in former years, there was no general allegation of bribery at the last election. On the contrary, there was a manifest improvement, both in the number and the conduct of the constituency. With reference to the remarks of the hon. Member for Montrose on the general question, he must say he thought that hon. Member had taken the most extraordinary course, to say the least of it—for, after mentioning seven or eight boroughs where Members had been unseated for bribery, with the view of showing the great amount of bribery in the country, he had immediately added that there had been many decisions given by the Election Committees, which, in his judgment, could hardly be reconciled with strict justice. Now, both those statements could not be correct. Either no inference of general bribery could be drawn from those decisions, or, if so, the decisions could not be considered too stringent. He had predicted, when the existing law was introduced, that the House would find itself in the position it was now in, and that the most trifling matters would be laid hold of to unseat Members where there was really no corruption. The House might depend upon it that the strings were being drawn too tightly, and that a change of system must sooner or later be introduced. He should certainly vote for granting the writ, because he had heard no good reason assigned for its being refused.

Sir De L. EVANS concurred with hon. Members in thinking that there was something very remarkable in the decisions of some of the Election Committees. In the first place, he thought the Committees had, in most cases, been exceedingly delicate towards to the candidates in not tracing any acts of bribery directly to them; thus giving them an opportunity of coming forward and representing other constituencies. In the next place, he considered that the Committees had adopted too stringent a rule as to what constituted acts of bribery. According to that rule, if the most trifling acts of bribery could be traced to any individual whatever, although not sanctioned by the candidate, it would be perfectly competent for a Committee to unseat him. He declared solemnly, that although he had been engaged in many contests, he had never been conscious of any acts of bribery; and yet it was quite possible that he or any other hon. Member might be unseated, even now, if any trifling act of bribery was established, although there was no proof to connect it with the candidate. He therefore thought it would be very unfair towards this borough, and not consistent in that House, if they refused the electors of Harwich the exercise of their right in the election of a Member.

Dr. BOWRING said, all that the Committee had had to do was to get evidence enough to unseat the improperly-elected Member; but, if no further inquiry was instituted, a very great mass of corruption would altogether escape. He thought that the whole subject in this case demanded inquiry.

Mr. ELLIOT said, the Committee had sifted the whole of the allegations brought forward as far as they had the power. As a member of that Committee, he thought it right to state to the House exactly how the matter stood. There was no doubt that Mr. Attwood had endeavoured to establish for himself a large influence in Harwich. He had purchased, or rather had taken a lease from the Ordnance department, of a certain number of houses. The allegation against him was, that he had taken those houses at a large rent, and had let them at a small rent to persons likely to vote for him. But when the Committee came to the proof, it turned out to be quite the other way; and it was shown that, on striking the balance, Mr. Attwood had received a larger sum than he paid for the houses. That allegation, therefore, was not proved. It was proved, however, that he had houses in the borough which he chose to give to persons without any condition, but from whom it was expected that they would vote for him. He would, however, ask the House whether it was not generally understood that gentlemen did purchase lands, and let their farms, and made arrangements with a view to strengthen their Parliamentary influence? But, if that were the case, and it was not tangible by the law, then, he said, the position of Mr. Attwood was exactly similar, and he did not believe that any law could prevent such practices.

Mr. ELLICE felt considerable difficulty as to the vote he should give. These accusations against boroughs he considered as important with regard to the character of constituencies. He had known a great deal of this borough, and from that knowledge, and the disclosures that had taken place before the Committee in the present Session with respect to the purchase by Mr. Attwood of property in Harwich, there was great suspicion on the whole transaction; and he thought that, if the House should issue a new writ without further inquiry, the public might be apt to say they were returning to their old system, and that they stopped at the threshold of these matters without making a full inquiry. It was very difficult, however, to say, on the evidence before the Committee, that the House should suspend the writ. It was said before the Committee that Mr. Attwood had spent 10,000*l.* on a previous election, and that he might spend as much again; and it was notorious that Mr. Attwood had purchased property to create an influence amongst the voters in Harwich. Now, he remembered the case of the borough of Stafford, which he hoped had improved since that time, in which corruption had notoriously existed. He himself considered that notoriety a justification for disfranchising the borough, and brought in a Bill for the purpose. A right hon. Friend of his, of great experience in that House, asked him whether he considered that notoriety a justification for his measure? and although, in the then state of the House, he was able to carry his Bill to the House of Lords, where a Committee was appointed to report on the borough, and that Committee reported that it had been proved to their satisfaction that the most notorious and profligate corruption did exist, yet on the Bill being returned to that House it was unfortunately lost. In the present instance, he thought that some further inquiry ought to be instituted before the writ should be issued. It was not with the individual case of a particular borough that they had to deal, but with a general system; and if the public out of doors once entertained the opinion that in that House they were indifferent to such small acts of corruption, a general inference would be drawn by no means favourable to the character which the House had to sustain. He would feel it to be his duty to vote against the issuing of the writ; but at the same time he was not prepared to suggest any other course. He thought, that if the Government were of opinion that the case was sufficiently important to be brought under the consideration of the House, they ought to interfere with it, and not leave it to be taken up by any individual Member.

Mr. S. WORTLEY, as Chairman of the Committee that was appointed to inquire into this election, might perhaps be allowed to make a few observations. He rejoiced exceedingly that the evidence had been laid before the House, because, on a former occasion, he thought a disposition had been shown to charge the Committee with not having acted on the evidence, and with being unwilling to institute a further inquiry. It had been said, that the country was beginning to suspect that the House were endeavouring to screen these transactions from investigation, and that they were not sufficiently alive to the detection of bribery in general elections. There might be times when there might be truth in that statement; but he thought that the present was a most unhappy moment for it, for if ever there was a time when the House had shown the greatest jealousy of corruption, and a determination to act under that most efficient statute which was introduced by the noble Lord at the head of the Government, and which alone made it unfair to charge the present Government with wishing to screen corruption, it was the present. During this Session the Committees had acted not merely in a manner to save themselves from that charge, but there were many who thought they had acted with extreme rigour, and had carried the law to the utmost extremity. The Committee with which he was connected had done their duty, and no more; and he was rather disposed to agree with the hon. Member for Montrose, that there might be some ground, when all the disputed elections were disposed of, for instituting an inquiry whether the present state of the law did not expose candidates, and persons returned, to acts of oppression; for, if he spoke honestly, he did not believe that amongst the hon. Members returned to that House, if the principle on which the Committees had acted during the Session were generally carried out, ten would be found who could escape. But he thought it was most unconstitutional to suspend the issuing of the writs of some ten or twelve boroughs, involving some twenty or twenty-four seats, until a more general inquiry could be instituted; and more especially where no direct charge was proved against those boroughs. He was bound also to say, that the statement as to Mr. Attwood's having spent 10,000*l.* at a previous election, and that he was thrown out that he might spend more money, depended upon the evidence of a witness upon whose evidence alone, if the whole case had depended upon it, the Committee would not have acted. It was said, that Mr. Attwood had let out property in the borough to influence the voters; but he thought, that if the House were going to deal with the disposal of private property in boroughs or counties, they would, he apprehended, find stronger cases than this. He had stated, on a former occasion, that there was no evidence of anything like general corruption. But, from having heard and found on the records of the House that bribery and corruption were proved at the last election, he certainly did expect, as a friend of his observed to him, when they went into the case, that they should have some fun. What, however, he found was, that care had been taken to avoid corruption, and although there was one case of bribery proved, yet there was nothing like general corruption or bribery proved. It might be supposed, that they had avoided branching into those matters; but the petitioners had to obtain their information from hostile witnesses, and at the end of the third day he stated that they were losing time, and that they had the power, under the statute he had referred to, of going into the whole case. Upon the whole, he was bound conscientiously to say, that he saw no constitutional ground for withholding the issuing of this writ.

The EARL of ARUNDEL and SURREY said, that it appeared to him, that either great harshness or gross bribery prevailed, and in either case an inquiry ought to take place; but at the same time he thought it would be unjust to deprive boroughs of their representatives by withholding writs for any unnecessarily long period.

VISCOUNT CASTLEREAGH said, there was no encouragement for Committees of that House to do their duty properly, if, after having to the best of their judgment and with great patience reported upon the several cases submitted to them, they were to meet with such broadsides as those of the hon. Member for Montrose. The Committees were obliged to act on the facts brought before them. He did not mean to say that bribery and treating equal to the practices of former years had been carried on at the last elections, but there had undoubtedly been a great improvement in the law. It was an extremely difficult case to prove bribery and treating, and then to disconnect the sitting Member from the acts of his agents. But, on the other hand, it was within the knowledge of every Member of that House that an over-zealous agent might now, without the knowledge of hon. Members, place both their seats and their honour in jeopardy. The House, he thought, ought to amend its own legislation rather than attack its Committees.

SIR W. MOLESWORTH approved of everything that had fallen from the Chairman of the Harwich Election Committee (Mr. S. Wortley). Nothing that had occurred ought, in his opinion, to hinder the issuing of the writ. He was strongly of opinion that such small constituencies as that of Harwich were very injurious, and he would willingly support a measure for reforming the Reform Bill, and getting rid of those small constituencies. But he was called upon now to perform a judicial act; and he had to ask himself whether there had been such amount of bribery and corruption at Harwich as would justify the House in refusing a new writ for the borough? He was of opinion that that amount of bribery and corruption had not been proved to exist, and he should, therefore, vote for issuing a new writ for the borough of Harwich.

CAPTAIN HARRIS begged to remind the House that bribery of voters was a misdemeanor in point of law; and he wished to know whether it was not competent for the Attorney General to direct a prosecution against every person who gave a bribe to another? The effect of the bribe now fell upon the sitting Member alone.

The House divided on the question, that the words proposed to be left out stand part of the question:—Ayes 195; Noes 64: Majority 131.

List of the AYES.

Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Aglionby, H. A.
Alcock, T.
Alexander, N.
Arbuthnott, hon. H.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagge, W.
Bagshaw, J.
Baillie, H. J.
Baring, H. B.
Baring, rt. hon. F. T.
Baring, hon. W. B.
Barnard, E. G.
Barron, Sir H. W.
Bateson, T.
Bellew, R. M.
Benbow, J.
Bennet, P.
Blandford, Marq. of
Bourke, R. S.
Bowles, A.
Boyle, hon. Col.
Bramston, T. W.
Bremridge, R.
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Buller, C.
Bunbury, E. H.
Campbell, hon. W. F.
Carew, W. H. P.
Carter, J. B.
Cavendish, hon. G. H.
Chichester, Lord J. L.
Childers, J. W.
Christy, S.
Clay, Sir W.
Clements, hon. C. S.
Clerk, right hon. Sir G.
Clifford, H. M.
Cocks, T. S.
Colebrooke, Sir T. E.
Courtenay, Lord
Cowper, hon. W. S.
Cubitt, W.
Currie, R.
Davie, Sir H. R. F.
Davies, D. A. S.
Deedes, W.
Dodd, G.
Drumlanrig, Visct.
Drummond, H. H.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Edwards, H.
Ellice, rt. hon. E.
Elliot, hon. J. E.
Fellowes, E.
Fergus, J.
Floyer, J.
Foley, J. H. H.
Forbes, W.
Fortescue, C.
Fox, R. M.
Fuller, A. E.
Gladstone, rt. hon. W. E.
Glyn, G. C.
Gordon, A.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Guest, Sir J.
Hale, R. B.
Halford, Sir H.
Hamilton, Lord C.
Hawes, B.
Hayes, Sir E.
Hayter, W. G.
Heald, J.
Heathcote, Sir W.
Henley, J. W.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hill, Lord M.
Hobhouse, T. B.
Hood, Sir A.
Hope, Sir J.
Horsman, E.
Houldsworth, T.
Howard, hon. E. G. G.
Hudson, G.
Hughes, W. B.
Humphery, Ald.
Hutt, W.
Ingestre, Visct.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
King, hon. P. J. L.
Labouchere, rt. hon. H.
Lascelles, hon. E.
Lascelles, hon. W. S.
Lewis, rt. hon. Sir T. F.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Lockhart, W.
Lowther, H.
Mackinnon, W. A.
Macnamara, Major
M'Naghten, Sir E.
Maitland, T.
March, Earl of
Martin, J.
Masterman, J.
Maule, rt. hon. F.
Meux, Sir H.
Miles, P. W. S.
Mitchell, T. A.
Molesworth, Sir W.
Monsell, W.
Morris, D.
Mulgrave, Earl of
Neeld, J.
Norreys, Lord
O'Connell, M. J.
Oswald, A.
Packe, C. W.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, right hon. Sir R.
Pigott, F.
Plowden, W. H. C.
Pugh, D.
Pusey, P.
Rawdon, Col.
Rendlesham, Lord
Repton, G. W. J.
Ricardo, O.
Rich, H.
Richards, R.
Rolleston, Col.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Scrope, G. P.
Seymer, H. K.
Seymour, Lord
Shelburne, Earl of
Sheridan, R. B.
Shirley, E. J.
Sibthorp, Col.
Sidney, Ald.
Smith, right hon. R. V.
Smyth, J. G.
Smollett, A.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stanley, hon. E. J.
Stanton, W. H.
Sturt, H. G.
Tancred, H. W.
Townley, R. G.
Townshend, Capt.
Trollope, Sir J.
Tufnell, H.
Verner, Sir W.
Verney, Sir H.
Vyvyan, Sir R. R.
Vyse, R. H. R. H.
Wall, C. B.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col. L.
West, F. R.
Williamson, Sir H.
Wilson, J.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.

TELLERS.

Mackenzie, W. F.
Wortley, rt. hon. J. S.

List of the NOES.

Blake, M. J.
Bouverie, hon. E. P.
Bowring, Dr.
Bright, J.
Brotherton, J.
Busfeild, W.
Clay, J.
Cobden, R.
Cochrane, A. D. R. W. B.
Corbally, M. E.
Cowan, C.
Crawford, W. S.
Duncan, G.
Duncombe, hon. A.
Duncuft, J.
Dunne, F. P.
Ellice, E.
Evans, Sir De L.
Fagan, W.
Fordyce, A. D.
Fox, W. J.
Gaskell, J. M.
Grace, O. D. J.
Greene, J.
Hall, Sir B.
Hallyburton, Lord J. F.
Hastie, A.
Hume, J.
Kershaw, J.
Lushington, C.
M'Gregor, J.
Moffatt, G.
Mowatt, F.
Napier, J.
Nugent, Lord
Nugent, Sir P.
O'Connor, F.
Pattison, J.
Pearson, C.
Pechell, Capt.

Perfect, R.
Pilkington, J.
Power, Dr.
Raphael, A.
Reynolds, J.
Robartes, T. J. A.
Roche, E. B.
Salwey, Col.
Smith, M. T.
Stansfield, W. R. C.
Strickland, Sir G.
Stuart, Lord D.
Sullivan, M.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Trelawny, J. S.
Tynte, Col. C. J. K.
Wakley, T.
Wawn, J. T.
Williams, J.
Yorke, H. G. R.

TELLERS.

Blackstone, W. S.
Osborne, B.

On the question being again put,

MR. HUME said, the House could now only negative the Motion for issuing the writ.

MR. WAKLEY said, the House could do something beyond what his hon. Friend suggested—they could still appoint a Committee to institute a searching investigation into the whole case. Why, he would ask, was Mr. Attwood unseated, if no wrong had been done? Who were the wrongdoers? They charged the hon. Gentleman whom they unseated with being guilty of corruption through his agents; but did they not know perfectly well that he had a full knowledge of all that was passing himself? Did they suppose that money had been spent without his knowledge, or that his agents had volunteered to expend their own money for his benefit? In his opinion, what the House ought to do, was to negative the Motion for issuing the writ, and to commence a searching inquiry into all that took place at the last election. Unless that were done, the metropolitan constituencies, who looked to their representatives for a faithful discharge of their duties, had a right to complain that they were treated unjustly by the impunity that was allowed to these small boroughs. They had it in evidence, that at the election of 1841 a sum of 9,000*l.* had been expended amongst ninety-four electors, exclusively of the sums that had been given for "treating." He admitted that at the last election there was no proof of any general corruption having prevailed; but still he thought that the evidence before the House laid abundant ground for instituting further inquiry.

MR. S. WORTLEY said, the hon. Member for Finsbury had made an unwarrantable charge against the Committee. He denied that the Committee knew, as the hon. Member had asserted, that the bribery proved to have been committed at Harwich had taken place with the knowledge and consent of the sitting Member. He would ask the hon. Gentleman whether, if some agent of his own had been guilty of bribery, and had taken the greatest pains to keep him from knowing anything about it, would he not think it a hard case if a Committee reported that the bribery took place with his knowledge and consent? Every effort had been made to conceal the bribery from Mr. Attwood; and how was the Committee under these circumstances to report differently from what they had done? He should again express his decided opinion that no general corruption had taken place at the last election for Harwich.

MR. ELLIOT said, the hon. Member for Finsbury (Mr. Wakley) had one speech that he made to the House on all occasions, and he would declare that there was was but one speech that the hon. Member ever made to the House. He had listened to the hon. Member for four years, and had always heard the same speech, until he was almost obliged to conclude that the hon. Member borrowed the speech from somebody. Thus it ran—the old story over and over again—"You are all a set of rogues, and I am the only honest man among you. The people out of doors know you very well, and they know that I, the Member for Finsbury, am the only honest man in the House. I have been brought up in the principles of honour and virtue, while you have no pretensions to anything of the kind." Now, as the hon. Member for Finsbury was so fond of telling the Members of that House what people said of them out of doors, it was but fair to the hon. Member to let him know what people said of him. He (Mr. Elliot) had heard it said a hundred times, that all the speeches of the hon. Member meant one and the same thing; namely, that there was not an honest man in the House of Commons except himself, and that he made all those speeches for the purpose of gratifying the lowest persons in the borough of Finsbury. He had thought it right at least to tell the hon. Member what was said of him, though he hoped the hon. Member was actuated by other motives.

MR. B. OSBORNE thought it rather a hard case, when an independent Member of Parliament rose in his place—a Member whose seat probably cost him less than any man in that House—and delivered his opinion concerning a gross case of bribery, that he should be liable to such an attack as had just been made upon the hon. Member for Finsbury. But however popular that attack might be within the walls of that House, he would take upon himself to say that the cheers here would not be sympathised with or responded to out of the House. Those whom the hon. Member had thought proper to call the lowest classes were the persons who were looking for the franchise, and when they obtained it they would not be found to barter it away. In his opinion the institutions of the country would be much safer, and the House better constituted, if some of those whom the hon. Member designated the lowest persons were admitted to their just privileges.

Mr. ELLIOT explained, that when he had used the expression "lowest classes," his meaning had been the lowest in moral principle.

Mr. WAKLEY wished to know if it was consistent with Parliamentary usage that the hon. Member who had just sat down should impute improper motives to him (Mr. Wakley) in the discharge of his duty?

Mr. SPEAKER: I certainly did not understand the hon. Member to impute improper motives.

Mr. HUME was sorry the Speaker had not interfered at first, for if Members began to abuse one another, where would they stop? His hon. Friend the Member for Finsbury had attacked principles, not persons; and when the hon. Member for Roxburghshire thought proper to talk about lower morality, he (Mr. Hume) could tell him he had a strong opinion that there was a lower tone of morality among the higher than among the lower classes.

The House divided:—Ayes 164; Noes 73: Majority 91.

List of the AYES.

Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Adare, Visct.
Adderley, C. B.
Aglionby, H. A.
Alexander, N.
Arbuthnott, hon. H.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagge, W.
Bagshaw, J.
Baillie, H. J.
Baring, H. B.
Baring, rt. hon. F. T.
Baring, hon. W. B.
Barnard, E. G.
Bellew, R. M.
Benbow, J.
Bennet, P.
Blandford, Marq. of
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Bramston, T. W.
Bremridge, R.
Brooke, Lord
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Buller, C.
Bunbury, E. H.
Campbell, hon. W. F.
Carew, W. H. P.
Carter, J. B.
Cavendish, hon. G. H.
Chichester, Lord J. L.
Childers, J. W.
Christy, S.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cocks, T. S.
Codrington, Sir W.
Colebrooke, Sir T. E.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Davies, D. A. S.
Dodd, G.
Duckworth, Sir J. T. B.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Edwards, H.
Elliot, hon. J. E.
Fellowes, E.
Fergus, J.
Fitzroy, hon. H.
Floyer, J.
Foley, J. H. H.
Forbes, W.
Forster, M.
Fortescue, C.
Fox, R. M.
Fuller, A. E.
Gaskell, J. M.
Gladstone, rt. hon. W.
Glyn, G. C.
Gordon, Adm.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Hale, R. B.
Halford, Sir H.
Hawes, B.
Hayes, Sir E.
Hayter, W. G.
Heathcote, Sir W.
Henley, J. W.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hill, Lord M.
Hobhouse, T. B.
Hood, Sir A.
Hope, Sir J.
Hudson, G.
Hughes, W. B.
Ingestre, Visct.
Jermyn, Earl
Jocelyn, Visct.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Lascelles, hon. E.
Lewis, rt. hon. Sir T. F.
Lincoln, Earl of
Lindsay, hon. Col.
Lockhart, W.
Lowther, H.
Mackinnon, W. A.
Macnamara, Major
M'Naughten, Sir E.
March, Earl of
Masterman, J.
Maule, rt. hon. F.
Meux, Sir H.
Mitchell, T. A.
Molesworth, Sir W.
Morpeth, Visct.
Morris, D.
Neeld, J.
Newdegate, C. N.
Norreys, Lord
Ossulston, Lord
Packe, C. W.
Paget, Lord A.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Pigott, F.
Plowden, W. H. C.
Pugh, D.
Pusey, P.
Rawdon, Col.
Rendlesham, Lord
Repton, G. W. J.
Ricardo, O.
Rich, H.
Richards, R.
Rolleston, Col.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Seymer, H. K.
Seymour, Lord
Shelburne, Earl of
Sheridan, R. B.
Sibthorp, Col.
Sidney, Ald.
Smith, rt. hn. Sir R. V.
Somerville, rt. hon. Sir W.
Spooner, R.
Stafford, A.
Stanley, hon. E. J.
Sturt, H. G.
Tancred, H. W.
Townshend, Capt.
Trollope, Sir J.
Tufnell, H.
Verner, Sir W.
Verney, Sir H.
Vyse, R. H. R. H.
Wall, C. B.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col. L.
Williamson, Sir H.
Wilson, J.

TELLERS.

Mackenzie, W. F.
Wortley, rt. hon. J. S.

List of the NOES.

Blackstone, W. S.
Blake, M. J.
Blewett, R. J.
Bouverie, hon. E. P.
Bowring, Dr.
Bright, J.
Brotherton, J.
Busfeild, W.
Callaghan, D.
Clay, J.
Clifford, H. M.
Cobden, R.
Cochrane, A. D. R. W.
Corbally, M. E.
Cowan, C.
Crawford, W. S.
Currie, R.
Drumlanrig, Visct.

Duncan, Visct.
Duncan, G.
Duncuft, J.
Dunne, F. P.
Ellice, rt. hon. E.
Ellice, E.
Evans, Sir De L.
Fagan, W.
Fordyce, A. D.
Fox, W. J.
Grace, O. D. J.
Greene, J.
Hall, Sir B.
Hallyburton, Lord J. G.
Heald, J.
Hindley, C.
Horsman, E.
Humphery, Aldm.
Hutt, W.
Kershaw, J.
King, hon. P. J. L.
Lushington, C.
M'Gregor, J.
Mowatt, F.
Napier, J.
O'Connor, F.
Osborne, R.
Pattison, J.
Pearson, C.
Pechell, Capt.
Perfect, R.
Pilkington, J.
Power, Dr.
Raphael, A.
Reynolds, J.
Ricardo, J. L.
Roche, E. B.
Salwey, Col.
Seymour, Sir H.
Smith, M. T.
Stansfield, W. R. C.
Stanton, W. H.
Strickland, Sir G.
Stuart, Lord D.
Sullivan, M.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Trelawny, J. S.
Tynte, Col. C. J. K.
Wawn, J. T.
Williams, J.
Wood, W. P.
Yorke, H. G. R.

TELLERS.

Hume, J.
Wakley, T.

Writ issued.

THE CASE OF CAPTAIN DILLON.

MR. F. O'CONNOR rose to move the adoption of an address founded on the statement contained in the petition of John Dillon, presented to the House Dec. 14, 1847, and printed with the Votes on the 9th of February, 1848. The circumstances of the case were these:—An American brig, named the *Peru*, laden with tobacco, and suspected to be a smuggler, appeared in the course of the year 1822 off New Ross, in the county of Cork. Captain Dillon, who was at that time commander of a coast-guard station in the neighbourhood, put to sea on a stormy night in search of this suspected smuggler. He fell in with her, she endeavoured to escape, he chased her, fired no less than 137 shots at her, 35 of which took effect, and drove her into Kinsale, where she was seized in smooth water by a tide-waiter, who, on her condemnation, became entitled to 11,700*l.* capture-money, which he received, while Captain Dillon, who was the sole cause of the capture, went unrewarded. He had been deprived of his rights principally in consequence of the report of his superior officer, to whom during the course of the night while he was chasing the *Peru*, he had made signals, and who had refused him assistance. It was entirely owing to the exertions of Captain Dillon that the brig *Peru* had been captured; and the ship and her cargo had been sold for 53,252*l.* Of this sum the tide-waiter, who in smooth water had merely taken possession of her, had received 11,786*l.*, while Captain Dillon—to whose exertions alone the capture had been owing—had not received a single farthing. He had brought forward the case of Captain Dillon in that House in the year 1834, and Mr. Spring Rice, now Lord Monteagle, and Lord Althorp, had assured him that the whole case should be referred to Sir Edward Codrington, and that if Sir Edward Codrington decided that Captain Dillon had done his duty as an officer and a man of courage, he should receive the capture-money to which he was entitled. That was the only issue raised. Sir Edward Codrington, after investigating the circumstances of the case, had delivered an award favourable to Captain Dillon; that award was, he believed, at present in the possession of the Lords of the Treasury, but from them Captain Dillon had never been able to get a copy of the award. The case set up by the Government then was, that the *Peru* was bound to France, and not to the Irish coast. If that were the case, it was a violation of the law of nations on the part of the British Government to seize and sell the property. But he was in a condition now distinctly to negative that plea. Since that defence had been set up, Captain Dillon had been to New York, and he had procured from the custom-house there an official copy of the manifest of the brig *Peru* for that voyage, which had been sworn to by the captain, and the authenticity of which had been attested by the British Consul; and on the face of that manifest, the attested copy of which he held in his hand, it appeared that the brig *Peru* was laden with tobacco, to be landed as a smuggling venture somewhere on the coast of Ireland; and his hon. Friend the Member for Cork would bear witness that on the night when the *Peru* was prevented by Captain Dillon from entering the bay of New Ross, there were upwards of 300 peasants assembled on the coast awaiting her arrival, in order to assist in running her cargo. It had been contended that the *Peru* put into Kinsale harbour only because she was leaky; but it was in consequence of the shots fired at her by Captain Dillon that she became leaky; and after the evidence he had adduced, and the report of Sir Edward Codrington, he was at a loss to conceive on what plea the Government could refuse to do Captain Dillon the justice which he demanded for him. In fact the Government had acknowledged his claim, by giving him 150*l*. Such was his case, and he trusted the House would not pay the less attention to it because Captain Dillon was not himself a Member of the House and enabled to urge his own cause. The hon. Member moved—

"That on this day fortnight the House shall resolve itself into Committee, to consider the case of Mr. Dillon, with the view of compensation."

Mr. PARKER had only to repeat the statement which he had made when the subject was brought before the House last Session. It was a disagreeable office to refuse such an application, and it would be always more agreeable to the Government to be liberal. The facts occurred in February, 1822, when the *Peru* appeared hovering off the coast-guard station on the coast of Cork, and two vessels went out after her, but she escaped. She returned, and Captain Dillon, in command of the coast-guard, went out, and no doubt meant to capture her, believing her to be a smuggler. The *Peru*, however, was much stronger than he was, and Captain Dillon returned *re infectâ*. Upon the prosecution of the vessel in the Court of Exchequer, it appeared that she intended to have gone to France; but she put into the harbour of Kinsale, and her actual capture was made by another party. The House would infer from the hon. and learned Member's statement, that Captain Dillon had exhibited his claim at the time before the proper authorities. But he put in no claim at the time, nor made any application (so far as was known) until 1829. Why did he delay his claim for seven years? In 1829 his claim was rejected by the Treasury. In 1832 it was brought by the hon. Member before the House, when Lord Althorp did say that Captain Dillon had not conducted himself in a professional manner, and was not entitled to the consideration of Government. The question whether Captain Dillon had conducted himself in a professional manner in not capturing the *Peru* was referred to Sir Edward Codrington; but it was that point alone, not the whole matter. A letter from the late Mr. Drummond to Captain Dillon, dated June 7, 1833, informed him that Sir E. Codrington had reported, in answer to the reference, that there were circumstances in the case which were sufficient to justify Captain Dillon in not attempting to board the *Peru*, and that Lord Althorp had determined to submit the case to revision at the close of the Session. The result showed that what had been done by Captain Dillon had nothing to do with what occurred afterwards in the harbour of Kinsale, so as to entitle him to any reward. In a subsequent letter to Captain Dillon, Lord Althorp said, that although the charge of cowardice was no longer a ground of objection to his claim, Sir Edward Codrington's opinion could have no bearing upon the title to reward on other grounds; that the removal of the charge of cowardice got rid of only one objection, the other objections still remaining in full force. Lord Althorp had therefore gone into the question, and came to a conclusion adverse to Captain Dillon, and the reiteration of the claim had met with the same result from the right hon. Gentleman the Member for Portsmouth, and the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn), when they held the office of Chancellor of the Exchequer; and whenever repeated, he was convinced the application would experience the same fate. The capture or the vessel arose solely from her putting into the harbour of Kinsale, and any previous acts of Captain Dillon did not entitle him to any reward. He must put a negative on the Motion.

Mr. HUME said, he had had communications with Lord Althorp upon this subject, and he had come to the conclusion that Captain Dillon could not substantiate his claim. No man could have taken more anxious care to investigate the claim than Lord Althorp had done.

Mr. AGLIONBY had come to the conclusion that Captain Dillon had been exceedingly ill used, and was entitled to prize-money for the capture of this vessel. He had always been of opinion that when the case first came before the Treasury it was met on the ground of cowardice alone. That charge was now disposed of. He believed that, although the vessel was not actually captured by Captain Dillon, it was taken in consequence of his shot, and then his claim to compensation was within the rules of the service. The case was a very hard one.

Mr. S. CRAWFORD said, one point alluded to by the hon. Gentleman (Mr. Parker), the delay in making the claim, was explained by Captain Dillon, who stated that he had been informed, when making application, that there was an appeal upon the subject of the capture pending before the Court of Admiralty. He (Mr. Crawford) retained the opinion he before entertained, that Captain Dillon had suffered an extreme grievance. He should merely add the expression of his entire conviction that the case of Captain Dillon had been fully made out.

Mr. WAKLEY regretted the remarks that had been made by the hon. Member for Montrose, and contended that the hon. Gentleman the Secretary to the Treasury had given no answer to the claim of Captain Dillon. If the Government had resolved to negative the Motion of the hon. Member for Nottingham, he apprehended that nothing which he could say would be likely to alter their resolution; but he trusted they would consider the justice and expediency of referring the question of Mr. Dillon's claim to a Select Committee of that House. He fully believed it would not take a Committee more than three or four days to dispose of the whole matter; and he entertained no doubt whatever that a Select Committee, fairly chosen, would report in favour of Captain Dillon.

Mr. POWER said, that all the facts of the case had been brought under his notice, and he considered that Mr. Dillon had succeeded in making out his case. At the time that he prevented the landing of the cargo, as many as 400 men were ready with carts to remove the goods the moment they were landed.

The CHANCELLOR of the EXCHEQUER denied that Captain Dillon possessed any claim whatever to any portion of the prize-money, or to any reward of any kind. At the same time, if it would afford any satisfaction to Mr. Dillon or his friends, he was quite ready to say, that no imputation of cowardice rested upon his character, nor even any suspicion that he had not done his duty. It was perfectly true that Captain Dillon prevented the landing of the tobacco at the place appointed near Ross Bay; but it was equally certain that the vessel which carried that tobacco, being chased by a revenue cutter, stood out to sea, in consequence of the exertions of Captain Dillon; and the question was, who seized the vessel, and what were the circumstances? She stood out to sea and received serious damage; the crew began to apprehend that she was leaky, and insisted on putting into Kinsale, and under the guidance of a mutinous part of the crew she was brought into that harbour, where she was boarded by the revenue officers, her cargo being seized and condemned. There was no difference as to the facts. Captain Dillon did not capture the vessel; he merely prevented the discharge of her cargo at a particular place. A policeman might defeat the operations of a pickpocket at one end of the town, and at the other end a different policeman might take him into custody; but the merit of the capture would belong to the latter, and not to the former. To prevent the landing of the cargo was one thing, to seize the vessel was quite another.

Mr. O'CONNOR, in reply, stated, that Captain Dillon had taken the earliest opportunity of putting in his claims, and had not, as had been stated, postponed his application to 1829. He begged to say, that the hon. Member for Montrose was not an infallible authority with him; that hon. Member's excessive sentimentality and kindness always induced him to request hon. Members to withdraw their Motions, so that he might have the opportunity of substituting some other Motion of his own; which, if carried, enabled him to say that the credit of having settled the affair rested solely with himself. Lord Althorp objected to the compensation asked by Mr. Dillon solely on the ground of his alleged want of bravery; and the settlement of that point was delegated by Lord Althorp to Sir Edward Codrington, who reported that, in his opinion, there was no ground whatever for such an imputation upon the character of Mr. Dillon. In Chancery, when a matter of fact was disputed, issue thereon was sent to a court of law to be tried, and by the decision of that court the Court of Chancery was bound. This case was of a perfectly similar character; the decision of Sir E. Codrington ought to have been at once acted upon, and compensation made to Mr. Dillon. The speech of the Chancellor of the Exchequer had completely substantiated Mr. Dillon's claim. He hoped, then, as Mr. Dillon had beggared himself in his attempts to obtain compensation, the House would agree to this Motion which he (Mr. O'Connor) was thoroughly convinced was based on justice.

House divided:—Ayes 8; Noes 59: Majority 51.

List of the Ayes.

Aglionby, H. A.
Fagan, W.
Henry, A.
Power, Dr.
Sibthorp, Col.
Thompson, Col.
Wakley, T.
Williams, J.

TELLERS.

O'Connor, F.
Crawford, W. S.

List of the NOES.

Acland, Sir T. D.
Anderson, A.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bellew, R. M.
Boyle, hon. Col.
Bright, J.
Brockman, E. D.
Brotherton, J.
Bunbury, E. H.
Busfeild, W.
Chaplin, W. J.
Childers, J. W.
Clay, J.
Cobden, R.
Colebrooke, Sir T. E.
Colvile, C. R.
Craig, W. G.
Davies, D. A. S.
Duncuft, J.
Dundas, Adm.
Fergus, J.
Fox, W. J.
Gardner, R.
Grace, O. D. J.
Greene, J.
Grey, rt. hon. Sir G.
Hawes, B.
Hildyard, R. C.
Hindley, C.
Horsman, E.
Hotham, Lord
Hume, J.
Jervis, Sir J.
Keppel, hon. G. T.
Kershaw, J.
King, hon. P. J. L.
Lascelles, hon. E.
Molesworth, Sir W.
Moore, G. H.
Nugent, Sir P.
Parker, J.
Pilkington, J.
Power, N.
Pugh, D.
Pusey, P.
Russell, F. C. H.
Sheil, rt. hon. R. L.
Somerville, rt.hn. Sir W.
Strickland, Sir G.
Thicknesse, R. A.
Thornely, T.
Verney, Sir H.
Ward, H. G.
Wawn, J. T.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.

TELLERS.
Tufnell, H.
Hill, Lord M.

REPEAL OF THE GAME LAWS.

MR. BRIGHT said: In rising to move for leave to bring in the Bill of which I have given notice, I shall offer no apology for asking the attention of the House to the statements which I am about to make; except so far as an apology may, perhaps, be thought necessary, because I have so long delayed to bring before the attention of the House the question upon which I asked and obtained a Select Committee three years ago. I hope and believe, however, that the delay which has taken place has not been prejudicial to the question, or to the views which I hold upon it. I am am afraid that I shall, upon this occasion, be compelled to claim more of the time of the House than I am usually in the habit of occupying, or ever desire to occupy; but having to ask the House to consent to a complete reversal of a policy which it has pursued for a very long period, I think I am bound to submit such a case as I may be able to make out, in order to justify that change of policy. I feel, moreover, that the question is one of so grave a character that I have a right to ask the House to attend to the case which I shall submit to it, before it concludes to reject the proposition to which I am now about to ask its attention.

It is now about three years ago—it was in the year 1845—that I first brought the question of the game laws before the House, and succeeded in obtaining a Select Committee to inquire into the operation of that portion of our laws. Those hon. Gentlemen who were Members of the House at that time, will bear me witness when I state, that, in obtaining that Committee, I was anxious that it should be composed, not of men entirely agreeing with me in opinion upon the subject, but of those also who took a different view of the matter; so that there might be the greatest possible guarantee for a searching and impartial investigation into the whole question. To show how far I was from being desirous of having a one-sided Committee, or a Committee composed mainly of persons holding my own views, I consented that those who entirely disagreed with the opinions which I entertained upon the game laws, should form a majority of the members of that Committee. The Committee then appointed was, accordingly, so constituted; and, in order to prove to the House that the inquiry into the subject has been as full as it could be made, I need only state, that during the sittings of that Committee about sixty witnesses were examined. Of that portion of the witnesses called, chiefly by myself, and at the suggestion of those inclined to my opinion upon this question, not less than twenty-one were tenant-farmers; and I can safely say, that I believe they were tenant-farmers of the highest character, and of the most unimpeachable veracity.

I am willing to admit, in the very outset of my observations, that the Bill which I am about to propose to the House, makes no pretension whatever to be based upon the report of the Committee to which I have referred; but, at the same time, I confidently assert that it is based upon the general tenor of the evidence given before that Committee—and that, although I have the misfortune to disagree with the majority of the Gentlemen by whom that report was agreed to, yet I feel perfectly satisfied that the measure I am now about to propose, is the only one which, after an impartial view—as impartial as I am able to take—of the question and of the evidence, the House should come upon the evidence so given before that Committee.

In the year 1845, when I brought forward this question, the House did me the favour to listen to a rather lengthened statement which I then made. It was manifest on that occasion, that the subject was somewhat new to the House, and that I had treated it in a manner in which it had not been treated before. At the conclusion of the speech which I then made, the right hon. Baronet the Member for Ripon (Sir J. Graham), then Secretary for the Home Department, rose and consented to the appointment of the Committee; but in the course of his remarks, he expressed the greatest possible incredulity with regard to the statements and facts which I had submitted to the House. He said, moreover, that he should be extremely glad to see some of the parties whose allegations I had introduced, brought before the Committee, and cross-examined, with reference to the amount of injury to agricultural produce inflicted upon farmers by game, and also with reference to the other charges which I had brought against the game laws, and the existing system of game preservation. It appeared to be the opinion of the then Home Secretary, that the cases which I had brought forward were greatly exaggerated — an opinion which also appeared to be participated in by a considerable number of hon. Gentlemen, and especially by those Members who were then sitting on the Ministerial side of the House: but I am prepared to-night to show, that there was not a single statement made by me at that time which has not since, not only been completely borne out by the evidence of witnesses of unimpeachable character before the Committee, but that, in point of fact, the allegations which I then submitted to the House were very much below the real facts and statements which were made and proved in the course of the investigation entered into by the Committee.

Now I wish to ask the attention of the House to some of the cases which were brought before that Committee, and especially with reference to the amount of agricultural injury, and the damage to agricultural produce, which is sustained by farmers from the practice of preserving game, so extensively as it is now preserved, by the landed proprietors of this country. The witnesses who were examined upon that branch of the question, were almost exclusively tenant-farmers. I beg the House to bear in mind the important fact, that of all the witnesses brought up in favour of the game laws, there was only one who had any pretension whatever to the name of a tenant-farmer; and he was not brought up because he was a tenant-farmer, but because he was also agent to a landed proprietor in the county of Sussex, one of whose tenants had previously been examined before the Committee. As I stated before, the tenant-farmers who were brought before the Committee, were men of most respectable character; and I confess that the favourable opinion I have always entertained of the tenant-farmers of this country, was even enhanced by the intelligence and the general bearing of that class of the witnesses examined before the Committee.

The first witness to whose evidence I shall call the attention of the House, is Mr. Bates, who was recently the tenant of Luton Park Farm, in the county of Bedford. That gentleman stated, and proved to the Committee, that upon thirty acres of wheat, he had no less than 118*l.* awarded to him as the amount of damage committed upon that quantity of land by the game. Now, that may appear a large sum; but I beg the House to observe, that the statements of all the tenant-farmers who were examined before the Committee —those who came from Fifeshire in the north, and Dorsetshire in the south-west —all coincided in the view taken by Mr. Bates as to the amount of damage caused to the crops by game. The evidence of men altogether unknown to each other, and who came to the Committee from different parts of the country, without the slightest concert, was to the same effect, so that the evidence of one man may be taken as a guarantee of the correctness of another.

Mr. Hodding, a tenant-farmer in the neighbourhood of Salisbury, proved, that upon 45 acres of wheat, he sustained a damage of not less than 172*l.*; and that, in the four years previous to 1845, the loss upon his wheat and barley crops alone, amounted to 460*l.*, or an average of 115*l.* per annum, without taking into account the damage done to the young turnips and green crops. Another witness from the same neighbourhood, Mr. Bell of Salisbury, stated, that the damage which he sustained on 223 acres, in 1844, amounted in value to 416*l.* Mr. Chambers of Beachemwell, in the county of Norfolk—and I dare say, there are Gentlemen in this House who are acquainted with the name of this and of several other witnesses, whose evidence I shall bring before the House—Mr. Chambers, who is a very large farmer, and who, I believe, rents not less than 5,000 or 6,000 acres, stated, that his loss from injury done by game in one year was equal to 1,000*l.* Mr. Sewell, of Swaffham, in the county of Norfolk, who is also, I believe, a farmer of the very highest character, and the extent of whose farm may be judged from his rent, which is 1,024*l.* per annum—states that the damage which he sustained in one year on 700 acres, was not less than 700*l.* Mr. J. W. Cooper, a most intelligent farmer, residing in the neighbourhood of Bury St. Edmunds, states, that in November, 1844, he had thirty acres of wheat so much injured by winged game, that he was compelled to plough it up, and thereby sustained a loss of 120*l.*

I hope the House will bear that fact in mind, because I know perfectly well that it will be stated in the course of the observations which certain Members will make in opposition to this Motion, that the tenant-farmers suffer no injury from winged game. Now, Mr. Cooper states, that his annual taxation was not more than 111*l.*; but yet he believed, that in 1844, the amount of damage which his farm sustained from game was equal to about double the amount of that annual taxation. Another tenant-farmer, Mr. W. Marris, who resides near Louth, in Lincolnshire, states, that he held a farm under the Duke of Newcastle, and that, in 1843, upon twenty-three acres of wheat, he estimated that the damage which he sustained from game, amounted to about 150*l.*; and that he believed the average amount of loss which he endured in consequence of this system was 5*s.* per acre on the whole farm, or 180*l.* per annum; whereas his local and general taxes did not amount to more than 100*l.* per annum. There was also another farmer from Lincolnshire—and as I understand that an hon. Member from that county (Colonel Sibthorp) is likely to take some part in opposition to the Motion which I am now submitting to the House—I beg to call his attention to the statement of facts given by farmers from that very county, from men, I believe, of the very first respectability.

The farmer to whose case I am about to refer, occupies a farm at Kettleby Thorpe, in Lincolnshire; and the number of acres which he rents is 500. In 1844, that gentleman estimated his loss from game at the sum of 240*l.* Seven acres of wheat were stated to have been totally destroyed during that year by the game. From the evidence of another farmer, Mr. A. Gordon, who was deputed by the Wenlock Farmers' Club, in the county of Salop, to make a representation to the Committee on the subject, it appears that on thirty-four acres of his own farm, he sustained a loss from game, in 1841, of 239*l.*; in 1842, upon ten acres, he sustained a loss of 65*l.*; and that, in 1845, on forty-five acres, he sustained a loss of 114*l.*

I now come to the evidence of a witness from Worcestershire, Mr. Woodward, who farms 500 acres, as a tenant under Lord Coventry, and 200 acres of his own property in addition. That witness stated, that, in 1844, his loss from game, upon the land which he holds under Lord Coventry, was not less than 200*l.*

Mr. Landale, a surveyor, from Kirkaldy in Fifeshire, stated to the Committee, that on the estate of Captain Wemyss there was paid, by agreement, for damage done on six farms, including 1,059 Scotch acres, in 1841, 659*l.*; and in 1844, nearly 1,000*l.*; the amount of which damage was paid for by Captain Wemyss, in pursuance of an agreement which was contained in the leases of the tenants. Again, the hon. Member for Berkshire (Mr. Pusey) declared to the Committee—

> "But I have a strong case now of injury to wheat, which occurred only two years ago. A tenant of mine came to tell me that he must give up his farm; he was a very improving tenant indeed. I asked him why; he said the injury which he received from the game was such that he could stand it no longer. There was a piece of sixty or seventy acres of wheat, and he told me that it had been completely fed away by game from a neighbouring cover; and he asked me to go over it. I did so, and I can state positively to the Committee, that half of that field I should not have known had any crop at all upon it; this was light land. I said to the tenant that his loss should be valued; and I paid him the loss; I think it was valued at about 40*l.*, but I doubt very much whether that by any means covered his loss; he said himself that he lost about a quarter per acre."

The hon. Member also stated—

> "I have not the least hesitation in saying the land of a small proprietor, in the neighbourhood of a large cover, might be injured to the extent of 50 per cent at least on the rental; indeed, it might be rendered almost useless to cultivate it. That puts me in mind of another thing; one of the points which made me come to the determination of giving up preserving was, finding that my own keeper, who had got three or four acres of land near his house in the covers, after cultivating for eight or ten years, said at last that he must give it up because it did not pay him; it would ruin him; and then it occurred to me to consider what was the case with my keeper's neighbours round the covers."

There is another case, which occurred

on the estate of the Duke of Rutland, at Bakewell in Derbyshire. In that case surveyors were employed to make an estimate of the damage done by game, not to the grass crops, but to the grain crops only. The damage done to turnip crops, lentils, clover seeds, meadow and pasture, has never been taken into account. Mr. Gauntley, the witness, says—

> "The damage done to meadow land in the neighbourhood of the covers may be stated at from 5*s.* to 20*s.* per acre. In the summer of 1844, that portion of arable land growing corn contained 389 acres, and the sum of 916*l.* was allowed for the damage done by game, as per tabular statement annexed. In the previous year (1843), 395 acres were in corn, and the sum of 897*l.* was paid for damages, averaging 46*s.* per acre on the whole quantity of corn land, varying from nothing to nearly 10*l.* per acre."

Now the only tenant-farmer called before the Committee by those Members of it who differ from me upon this question, was Mr. Turner, of Sussex, the agent, I believe, of Sir John Shelley; and Mr. Turner was examined only with a view to elicit from him a denial or explanation of certain statements made by another tenant upon the same property. He was asked—

> "Take the case of Mr. Haywood, would you think that a reduction of 20 per cent upon the rent was a compensation?—I should want that certainly, if the rabbits were always kept up.
>
> "Do you think that you would be justified in taking a farm like this at 75*l.* at year, with hares and a large stock of rabbits, when you would pay for that farm 100*l.* a year if you had an undisputed right to take all the game.—Yes; I should rather give 100*l.*, and clear the game.
>
> "You would rather give 100*l.* and clear the game, than give 75*l.* and have the game?—Yes; if it were preserved strictly; it would depend upon the disposition of the landlord to preserve the game."

In speaking upon this subject, in the year 1845, I stated in this House, that the tenants generally entertained a firm belief that it would not take a great many hares and rabbits to eat and destroy as much agricultural produce as a sheep. That opinion was verified before the Committee by the farmers, some of whom said that three or four hares would destroy as much food as one sheep. The evidence taken before the Committee fully substantiates the statement which I then made. It is true, indeed, that Lord Salisbury, himself a great game preserver, told the Committee, that he did not believe that even forty hares would destroy as much produce as one sheep; but such an extravagant statement only serves to show that the authority of Lord Salisbury upon this point is unworthy of the least consideration. I would much prefer the actual experiment and judgment founded upon experience of an honest and intelligent tenant-farmer, than the opinion of any game-preserving nobleman whatever. Amongst the various witnesses examined before the Committee, was Mr. George Gayford, an agriculturist of eminence in the neighbourhood of Thetford. This gentleman had, it appeared, tried an experiment of a very conclusive nature, and he was therefore summoned before the Committee to give evidence as to the result of that experiment. He had divided a building into two parts; in one he placed two sheep, and in the other twelve large rabbits. He kept them both there for twelve weeks, and fed them, as nearly as possible, with the very same description of food as they would have eaten at that season of the year, had they been at large in the fields. He weighed them when first put in, and he weighed them again at the end of each fortnight, or four times in the course of the whole period, in order to ascertain how much they had gained or lost in weight. The following was the result. I am reading from the minutes taken before the Game Law Committee:—

> "From this experiment it will be seen that in six weeks twelve rabbits consumed of oats, cut sanfoin, bran, carrots, and swede turnips, 33 bushels, 3 pecks, and 7 pints, weighing 68 stone, 74 lbs., 14 oz., and valued at 18*s.* 2¾*d.*, whilst during the same period, two sheep consumed only 25 bushels, 3 pecks, 9 pints, weighing 45 stone, 101 lbs., 3 oz., and valued at 13*s.* 9¼*d.* The twelve rabbits thus exceeded the two sheep in consumption by 8 bushels of food, weighing nearly 23 stone, and valued at 4*s.* 5½*d.* It follows, from the above statement, that within a fraction four and a half rabbits, during six weeks, consumed as much food as one sheep."

It must also be recollected that if the rabbits had been at large, they would have destroyed or injured a great quantity of food in addition to that which they consumed; and many farmers are of opinion that the quantity destroyed and injured by game is not less than that which is actually consumed by them. I do not come here to make any whining complaint on behalf of the tenant-farmers, for if they choose to subject themselves to these injuries by taking farms when the game is reserved to their landlords, I know not that I can be of any great service to them; but I state these facts, in addition to others which I shall presently bring before the House, for the purpose of proving that a change of policy in the legislation of the country is absolutely necessary with regard to this question. I come now to speak of the influence of the game laws upon agriculture, and agricultural prosperity; and upon this branch of the subject I will quote to the House, first of all, the opinion of Lord Hatherton, who is well known for his devotion to agriculture, and whose evidence I have no doubt the House will hold in the highest respect. Lord Hatherton stated to the Committee:—

> "I found, to pursue the two occupations, a rigid preserver of hares and game generally, and an improver of my land by planting and farming, perfectly incompatible.
>
> "Do you say that you had not land in your occupation when you first preserved game?—I had, but it was principally grass land; I had not begun to plough or to plant. I soon found, as a farmer desirous of introducing among my tenantry and into the neighbourhood a better system of cultivation, that it was utterly hopeless to do so unless I completely destroyed the hares; for the attempt merely to reduce them was useless, for a good season repaired their numbers to such an extent, that I found there was no effectual means but entire destruction. There is no reluctance on the part of the farmers to occupy those lands, on the terms on which they take them, referring to the power of destroying game?—None whatever; on the contrary, since I have destroyed it, I perceive there is an infinitely greater degree of confidence on the part of the tenants in their expenditure; and it has happened to me, within the last two or three years, to have received indisputable evidence of my character as a destroyer of hares, it having turned very much to my account, in a better class of tenants having offered themselves for my farms when they have been vacant."

If this was the opinion of only a single person, great weight might not perhaps be attached to it; but I unhesitatingly state, that every farmer to whom the question was put by the Committee, declared it to be his conviction that game preservation was exceedingly injurious to agriculture—that it interfered with the farmer's prospects of success—prevented the expenditure of capital on the land—furnished one of the greatest obstacles to improvement—and diminished the demand for labour. I will now intreat the House to attend, for a moment, to the case of a tenant, upon whose farm the game had been let to a third party. I cannot conceive anything more destructive to the interests of agriculture and of the tenantry of this country than such cases as that to which I am now about to call the attention of the House. The owner of the estate to which this refers is Sir Hanson Verney; the renter of the game was a Mr. Villebois; and the tenant of the farm was Mr. Lock, who had been previously examined by the Committee. I shall now quote again from the minutes of evidence. A question is put to Mr. Villebois:—

> "What is your right over that land that Mr. Lock occupies; how far does your right of preserving and killing game extend?—I have the whole of the game; not a gun dare come upon that land without my leave. To what amount can you preserve game upon that land?—Any amount whatever; 10,000 partridges if I like to get them. And as many hares?—Yes; but I should not do it, for fear of injuring the farmers. You have the right?—I have the right of preserving to the utmost. All kinds of game?—All kinds of game. What right have you with respect to keepers, watchers, and assistants; have you the right to employ as many as you choose?—Yes; a whole regiment of guards, if I choose."

Mr. Villebois, however, acknowledged that the tenant, Mr. Lock, was not perfectly satisfied with this arrangement; he stated that Mr. Lock was what was termed in the neighbourhood "bumptious;" in other words, I suppose he did not submit to all this injury without grumbling. Mr. Villebois stated that the three preceding tenants had been subjected to the same system, and that he had not had much trouble with them. I will give the questions and answers, as given before the Committee:—

> "What were the circumstances under which they left?—The lease of one was out, and he went somewhere else; and the other failed—I do not know where he is. There was more game preserved than there has been since Mr. Lock has been there?—Yes; I should say there was. One did not renew his lease, and the other two failed? Not two; but one went as a steward to the north. Then the facts of the case are these: there was more game before Mr. Lock was there; and of his three predecessors, one would not renew his lease and went to another place; another failed, and another became steward?—I believe so; but I do not trouble myself with the tenants after they leave the farm."

It will be observed, that of Mr. Lock's three predecessors, one had left the farm when his lease was out; another had failed during his occupancy of the farm; and the third had left the farm and gone away somewhere to be a steward. Mr. Villebois says that he did not trouble himself much with the tenants after they left the farm. Now, I ask, is it possible for agriculture to thrive under such a system as this; and can such a system be encouraged by the Legislature, especially when our population is augmenting at so rapid a rate? Let it be borne in mind that the position of the tenant-farmer now is very different from what it was fifty or sixty years ago, when the farmer's crops were almost entirely the spontaneous and unassisted produce of the land. The tenant then occupied the land, took from it what it yielded, fed his cattle with it, or sold it in the market; but now the tenant has to pay two rents—one to the landlord for the use of the land, and the other in the shape of interest for the capital expended upon the land. It is notorious that the produce of the soil has frequently been doubled, trebled, or quadrupled by the expenditure of the tenant's capital upon the farm.

While the crops were but the unassisted produce of the land, the tenant might have had less reason to complain of the game taking a portion of his produce; but now, when by the application of his capital and industry, he has trebled or quadrupled the return of the land, it is intolerable that the landlord should still retain the right of stocking the land with game, and of destroying and devouring a portion, not only of the natural produce of the soil, but of that increased quantity which results from the outlay of the capital of the tenant. It was proved before the Committee, that where game is preserved with any degree of strictness, the damage done to the farmer by the destruction of his crops, exceeds the whole annual amount paid by him for income-tax, assessed taxes, poor-rates, highway rates, church rates, and county rates; in fact, the whole of the general and local taxes to which he is subjected; and which he pays in money, do not amount to so much in value as the injury he sustains by game wherever game is strictly preserved. An hon. Member whom I see opposite was formerly great on the subject of the burdens on land; but I have never heard him speak of this burden, and I am afraid that even now he will not unite with me in endeavouring to remove this heavy yoke from the shoulders of the tenant-farmers. With regard to the general question of agricultural improvement, I will ask hon. Members who are proprietors of land, how they can expect their tenants to prosper, the land to be improved, their labourers to be employed, wages to be good, and contentment to prevail, so long as they adopt a policy with reference to the occupiers of the land which is not known in connexion with any other occupation, or any other portion of the people of this country? At present there are two interests connected with the land wholly opposed to each other, and altogether irreconcilable. The tenant, having taken a farm, stocks it with cattle, expends capital upon it, and employs his servants to superintend and look after his property, in order that he may have a return for his outlay and labour: but the landlord insists upon preserving his game. He also stocks the land; he has his servants likewise to look after his stock of game; he has gamekeepers and game-watchers in any number that he pleases, prowling over the land in the occupation of his tenant; and it is found by newspaper reports, and by evidence before a Parliamentary Committee, that the honest and meritorious tenantry of this country are daily subjected to the most insolent interference on the part of gamekeepers. Will it be believed; that in many parts they are not allowed even to keep a dog, unless it is one which possesses a very innocent cast of countenance. In many instances all their dogs are shot. They cannot keep a cat about their houses, for fear it should be found in some plantation; and they themselves and their sons are not permitted even to walk over their farms with a gun in their hands, without being exposed to suspicion and annoyance. I know well that it is impossible to make the farmer independent by law, unless he be determined to become so; but I contend that Parliament is not justified in longer maintaining a system which necessarily involves the degradation of the tenant. I am convinced that unless the cultivators of the soil have security for their capital, and are enabled to employ and pay their labourers, pauperism will constantly increase, and the depression of our rural population will remain undiminished.

I come now to a part of the question, which is perhaps more important than any to which I have hitherto adverted, namely, the mode of administration of the laws with regard to game. I stated three years ago, that the great body of the people, including the tenantry and peasantry in agricultural districts, have no confidence whatever in the administration of the game laws by county magistrates. Hon. Members opposite are exceedingly sore on this point, because the great majority of them are themselves county magistrates: but I shall treat the question in a general way, without bringing charges against any individual whatever. I confess, for myself, that were I a game preserver, and passionately fond of sporting, I could not trust myself with the administration of these laws; and I am persuaded that, whether intentionally or not, there is, in the administration of the game laws by the magistracy of this country, a great departure from the ordinary principles upon which the other laws of this realm are administered. One of the witnesses before the Game Committee was Mr. Philips, the Under Secretary of State for the Home Department. I quote from his evidence some facts which I think are of the greatest importance. That Gentleman is asked, in reference to the returns of commitments made to the Home Office—

> " Have those more general returns led to any similar remark to that which was made upon the first return, namely, that many of the sentences were illegal ?—From the 23rd of May, when the business began, to the 11th of last March, the returns amounted to 1,849 commitments.
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> " Those were commitments for non-payment of penalties under the game laws ?—Yes. Of those cases a great many have been illegal; there have been forty discharges out of prison, under sentences clearly illegal, and there have been fourteen commutations of sentence besides.
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> " In the cases of those discharges you speak of out of prison, there was a free pardon of the Secretary of State ?—A pardon.
>
> " Were those discharges on account of mere technical objections to the conviction, or were they discharged on the ground that the conviction was a substantial injustice ?—All the discharges were on the ground of the law having been actually violated, the sentences being against the law. There has been no instance in which a prisoner has been discharged because the commitment was defective in point of form."

The Assessed Tax Act was passed for the purpose of obtaining revenue; but it is in operation nothing less than a Game Act; and is constantly used as such. Mr. Phillips was asked—

> " You are of opinion that the Assessed Tax Act was not passed by the Legislature with a view to the suppression of poaching, but rather for the protection of the revenue ?—Certainly.
>
> " Are you of opinion that that law has been made use of by the magistrates in a different sense from that which was intended by the Legislature ?—I have no doubt of it. I will mention one instance; two magistrates in the case to which I allude, convicted under the 23rd section of the Game Act: the very day after one of those magistrates proceeded against the man under the Certificate Act."

There is another gentleman who was examined, whose opinion is worthy of the utmost attention; I allude to Captain Williams, inspector of prisoners, whose opportunities of ascertaining the facts upon this subject are probably not exceeded by those of any other man living. That gentleman, when questioned by the Committee with regard to the statements of certain chaplains of gaols, as to the administration of the game laws, as detailed in his Ninth Report, where those chaplains are understood to have stated, that prisoners confined for poaching have no idea that they have been guilty of any criminal acts, and that all attempts to bring to them a consciousness of guilt are ineffectual—Captain Williams is asked—

> " Are there not statements in your Ninth Report of the opinions of chaplains of some of the gaols ?—Yes; several.
>
> " Are you prepared to state to the Committee that the opinion you have stated as being given by one or two chaplains is the general opinion amongst the chaplains, as far as you have come in contact with them ?—I should say it was, amongst the chaplains and amongst the superior officers in prisons.
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> " Have the gaolers generally coincided in those opinions ?—My impression is so.
>
> " Have you observed, that prisoners after sentences under the game laws have acknowledged the justice of their sentence ?—I do not think they ever acknowledge the justice of their sentence. Very few prisoners will ever acknowledge the justice of their sentence; but I think there is a much stronger feeling the other way among poachers than others.
>
> " From your experience among the labouring population, and your knowledge of their feelings upon this matter, do you believe that they attach the same sort of immorality to poaching that they would attach to stealing ?—Quite the reverse. Many times when I have spoken to them upon the subject of poaching, and warned them of the consequences, I have been replied to, 'Well, I am not here for stealing. I am not on the other side of the gaol.'
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> " You say you observed an influx of prisoners at particular seasons for offences under the Game Acts, in certain counties; can you mention those counties ?—I should comprehend them generally under the agricultural counties. There is a general influx of prisoners at certain periods of the year above any others; when the game seasons begin, the class of offences connected therewith naturally increases.
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> " Have you compared the severity of the punishments for offences against the game laws with the punishment for offences of other kinds, where such a comparison is capable of being made ?—I should say that it was almost impossible for a person so constantly in communication with prisoners, but such comparison must have occurred to him. The cumulative penalties and the peculiarities of these laws, the length of the imprisonment and the severity of punishment, could not fail to strike my observation.
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> " Which county is the one in which you find the most prisoners for poaching; and in which do you consider the offence to be most rife ?—Nottinghamshire, Derbyshire, Suffolk, Norfolk, Rutland, Cambridgeshire, and Huntingdonshire. I may here observe, that the application of the game laws varies most remarkably in various districts. It seems entirely dependent upon the individual feeling of the landowners, and which I look upon as one of their most injurious consequences. In one place you have a person who will carry these laws to an extreme, and in the next you will have a person who will scarcely have anything to do with them.
>
> " Do you find the same difference with respect to the administration of the law for offences of other kinds ?—Certainly not.

"Then, how do you account for it that there is that difference with respect to the application of the game laws?—I think there is a feeling against them amongst many of the higher classes of society, and a strong and universal feeling of sympathy on the part of the middle classes of society with offenders of that description.

"Is it your opinion, as far as you have observed, that the course of game-law legislation, as it now exists, and the administration of the game laws, is running counter to the great mass of public opinion?—Yes, I should say it was. I have noticed that there is a very increasing feeling against it of late years; I think every year the feeling increases against it."

With regard to the Assessed Taxes Act being used as a Game Act, Captain Williams stated—

"Upon my last visit to the county gaol at Derby, I found in the prison there a prisoner in the convicted misdemeant's ward; he was clothed in a prison dress picking oakum, and under the discipline of silence. I have copies of the conviction. He complained to me of having been illegally apprehended—that the warrant had not been shown to him at the time of his apprehension—and in the course of my investigation of his complaint, I felt it necessary to call the surveyor of taxes before me, to ascertain whether he had given instructions to the constable to employ the police generally, to apprehend him without a warrant whenever they could find him in the borough of Derby. The surveyor of taxes informed me that he had been obliged to proceed in this case; that he did not proceed against the people in this way for a surcharge, unless he was satisfied that they had funds to pay the penalty, as it was only giving him additional trouble, and it was a loss of money and time to him; that he was allowed three guineas in every case where he obtained payment of the surcharge; and that he never instituted proceedings against individuals of this description who could not pay, unless it was at the instance of a gamekeeper, or some gentleman, and that when a gentleman came to him, he thought it was his duty to interfere; that 'he thought he must interfere' were his words."

If the House require any other evidence on this point, I will adduce the testimony of Lord Fitzhardinge, well known to be a great game preserver, and who was also examined before the Committee. With reference to the opinion of the magistrates, and the state of public opinion with regard to the game law, Lord Fitzhardinge speaks as follows:—

"And they have generally expressed the opinion that game does no harm, and that the game laws ought to be maintained?—Unquestionably; if you were to poll the whole of the magistracy, I should say that nine out of ten would be in favour of protection to game.

"But as far as you can observe, the feeling is very strong in the county of Gloucester about the game laws, as you say the magistrates are acting under the influence of a strong popular feeling?—I think they are so; I think there is not a magistrate in the county of Gloucester but would feel, when a game case is brought before him, that he shall be subject to being assailed as a magistrate."

Now, if it be true, as Lord Fitzhardinge says, that nine out of ten of the magistrates, if they were polled, would be found to be in favour of the protection of game, I should like to know how the House can with safety trust the adjudication of offences under these laws to such a body of men? Such a fact, admitted and notorious, is calculated to destroy all faith in the administration of the law. Now what is the power which this class of magistrates have under these laws? I say what are the powers possessed, not by several, but by each individual magistrate under these laws? For a day trespass, one magistrate can subject a man to a fine of 40*s.* or two months' imprisonment. There may be nothing more than a vague presumption that the man was at the time in pursuit of game; it is not necessary that he should have taken or killed any game whatsoever. If five persons together are convicted of a day's trespass, each of them may be subjected to a fine of 5*l.*, or three months' imprisonment with hard labour; or if a trespasser refuse to give his name, whether apprehended or not, he is liable to the same amount of punishment. Be it remembered that the whole of these punishments which I have now detailed, can be inflicted at the will of any one justice of the peace. Now observe the mode of administering the law. The judge upon the bench is a county magistrate, one of a class, nine out of ten of whom, according to the testimony of Lord Fitzhardinge, are in favour of protection to game. The witness is either a gamekeeper or an assistant gamekeeper; in many cases receiving, by means of the person who laid the information, a portion of the penalty. The culprit at the bar is a poor defenceless peasant, arraigned under suspicion of having been in pursuit of game, and too poor to supply himself with legal assistance in his defence. Now, I ask the House how it is possible under these circumstances, that a reverence for the law, and for its administration, is ever likely to grow up in the minds of our rural population? But I will now bring before the House that which has been said and done by Secretaries of State, in proof of this part of my case. I am sorry that the late Secretary for the Home Department is not at present in his place; for I may refer, in justification of what I have stated, to the conduct which he pursued while he held the office of Secretary of State for the Home Department. That right hon. Gentleman was so struck with the number of convictions under the game laws, that he issued an order that a copy of every committal to prison, under those laws, should be forwarded to the Home Office, that it might there be inspected, and that in case it should be found that any wrong had been done, care might be taken to have the matter immediately rectified. How far that was necessary, how far wrong was committed, and how far that wrong has been rectified, the House will already have learned from the statement of Mr. Philips, the Under Secretary for the Home Department. But, if I am not misinformed, the right hon. Baronet who now holds that distinguished office, has taken another step, which shows that he also is as much convinced as his predecessor, of the necessity of a change in the mode of administering the game laws; for I understand that right hon. Gentleman has ordered that all cases of night poaching shall in future be tried, not at the sessions, but at the assizes. [Sir G. GREY: Not ordered, but recommended.] The right hon. Baronet says it was not ordered, but recommended; but we all know that a recommendation from the Home Office, upon such a matter as this, is equal to a command, and will form the rule with respect to these cases throughout the country. The fact, then, that two Home Secretaries have felt a scrutiny to be necessary, is very significant; affording the greatest proof that in their opinion the game laws have not been administered with the same regularity and the same impartiality with with which the administration of other laws has been conducted.

I now come to the effect of these laws upon the morals of the labouring classes; and I trust the House will not consider that branch of the question as the least important, especially after the great display of feeling evinced by various sections of this House, on many occasions, on behalf of the labouring population. This is not a new charge which I am about to bring against the game laws; for I find that it was made so far back as the year 1797, and I have no doubt much farther back even than that; for when this question of the game laws was under discussion — not the present laws, but those which were then in existence—and I pledge myself to prove that no real amendment has taken place since—Mr. Fox, speaking at that time, stated, that the infraction of these laws prepared criminals for the infraction of all other laws; and almost every speech made during the whole of that discussion, admitted the great evils which arose from the existence of the game laws. But I will come to still higher and later testimony; I will refer to the reports of both Houses of Parliament.

In 1816 and in 1823, Select Committees of the House of Commons were appointed to inquire into this subject. In 1828, a Committee of the House of Lords was also appointed, and in their several reports it will be found, that the demoralising effect of the game laws is alluded to, in terms more or less strong. I hope the House will bear with me while I refer to one or two other proofs in corroboration of the statements I have made.

In the year 1827, a Select Committee was appointed to inquire into criminal committals and convictions; and I will quote from the report of that Committee, to show what the system of game preservation did in that day for the morality of the labouring classes:—

> "The evidence taken before the Committee shows undeniably, that the great increase of preserves for game, which has taken place of late years, has tended materially to the increase of crime in particular districts; a pheasant or a hare is so easily taken, that a labourer only half employed, and ill-fed, cannot resist the temptation. Men of a wild character likewise have within their reach both the means of gratifying their love of sport and the means of disposing of their booty. Some are of opinion that if the sale of game were allowed by law, poaching would not be so frequently resorted to. Whether such a speculation be well founded or no, it appears to be the duty of the Legislature to listen to every rational proposal on the subject of the game laws, and rather to hazard an experiment which may fail, than to allow the present evils to continue without any effort to counteract them. Many of the petty larcenies in the agricultural counties are to be attributed to the vicious habits created by poaching."

That Committee was reappointed in 1828, and additional evidence was taken upon the subject; but did the Committee appointed in 1828, reverse the opinion expressed by the Committee in 1827? No; it confirmed it, in the strongest language. The report of that Committee states—

> "The abundance of offenders against these laws, it must be repeated, is not owing so much to any increased severity of the laws, as to the immense increase in the quantity of game. There has been, of late years, a vast profusion of game exposed to the eyes and appetites of a poor and sometimes suffering class of the people. No wonder that if property exposed on the outside of shops is carried off by depredators, that pheasants and hares should be carried off by night and day,

more especially when it is considered that according to several witnesses, the labourers have a notion that taking a pheasant or hare is no moral offence. That any change of law should materially diminish the number of poachers, is rather to be wished than expected. But if it were possible to diminish poaching, the Committee can have no doubt that a diminution of crime would follow."

I have already alluded to the right hon. Baronet the Member for Ripon; and I am glad to have his opinion, given before the Committee of 1828, in favour of the views which I am now submitting to the House; and, I am sure the House will consider, with me, that whatever has been stated by him on this subject, was said with due thought and consideration, and is entitled to very great weight. The right hon. Baronet was examined before that Committee, and gave the following evidence:—

> "I am myself a preserver of game, and being so I am bound to confess that the most fertile source of crime in my immediate neighbourhood is connected with game, and with the preservation of it.
>
> "I think the lower orders, in common with the highest, have a love, a natural love, of the sport, even stimulated perhaps by the risks attendant on its gratification; in many cases also poverty is a strong inducement to commit the crime; but I should say that in my own immediate neighbourhood the love of the sport predominates over almost every other consideration.
>
> "I have latterly preserved the game more strictly than it was heretofore preserved, especially pheasants."

I would entreat the attention of the House to this part of the evidence, and especially the attention of those Gentlemen who are of opinion that winged game do no harm:—

> "Winged game were almost unknown in that neighbourhood, and since I have so preserved, poaching has increased, notwithstanding all my efforts to prevent it, or rather perhaps in consequence of my efforts to increase the quantity of game. The tameness of these birds, seen constantly in the fields close to the road, is, I think, a great temptation to the lower orders to take them. On the whole, I should think poaching the cause rather than the consequence of criminal habits."

In 1845, the right hon. Baronet the Member for Tamworth, when I brought this question before the House, expressed his strong hope that a great deal of good might be done by the attention of the landed proprietors and game preservers being turned to this question; but he doubted whether much could be effected by any alteration of the law. I think the organ of hope must have been very strongly developed in the head of the right hon. Baronet, if he thought for one single instant, that so long as the law remained unchanged, there would be any material improvement by common agreement amongst the landed proprietors. I will show the right hon. Baronet how little change for the better has been effected, from the time at which he then spoke until the present time; and, in fact, the whole course of proceeding with respect to game has been, one of deterioration rather than of improvement. I have already stated to the House the opinion expressed by Mr. Fox in 1797, and that expressed by the various reports of the Committees of both Houses of Parliament, up to 1828. I come now to the year 1831, when Lord Grey's Government legalised the sale of game, and made considerable changes in the game laws. When the Duke of Richmond was moving for the commitment of the new Game Bill in the House of Lords, he said—

> "The system was also attended with this baneful consequence—it increased and heightened the feuds between the higher, the middle, and the lower classes. Would their Lordships believe, that in three years, from 1827 to 1830, 8,502 persons were convicted of offences against the game laws in England and Wales."

Upon the 27th of February, 1845, Sir James Graham, speaking of the change made by Lord Grey's Government in 1831, said—

> "I have not before me the returns of the number of crimes committed against the game laws at that period, as contrasted with other crimes; but I have a distinct recollection, that the attention of Lord Grey's Government was forced to this subject, on account of the great increase of crime under the unchanged law at that time apparent, and which circumstance now is attracting, in a painful degree, the attention of the country."

Now what is the state of the case after seventeen years' experience of that improved game law of Lord Grey's Government? In 1844, I moved for a return of the committals under the game law in 1843, when it appeared that in that year, not less than 4,529 convictions had taken place, being an enormous increase upon the average which had so greatly astonished the Duke of Richmond in 1831. Since that time, a further return has been moved for, extending throughout the years 1844, 1845, and to the month of May, 1846, a period of twenty-eight months, during which time the total number of convictions in England and Wales for offences against the game laws amounted to 11,392, or not less than an average of 4,884 per annum, being an increase of 355 per annum over those of the year 1843, and nearly double the convictions which had so much astonished the Duke of Richmond in 1831. The number of gamekeepers upon whose bodies inquests have been held during the ten years which elapsed from 1833 to 1843, was 42. In 25 of these cases, verdicts of wilful murder were returned; but in the year 1844, the number was still greater than the average of those ten years, for in that year not less than seven inquests were held upon the bodies of gamekeepers, in three of which cases verdicts of wilful murder were returned, and in one case a verdict of manslaughter was recorded. Where is the improvement which the right hon. Baronet the Member for Tamworth hoped would arise from the consideration given to the subject by the landed proprietors, and the game preservers? From the earliest period to which I have alluded, down to the present time, the condition of the country with regard to this question has been constantly growing worse and worse. I hold in my hand extracts from two country newspapers, which furnish us with a striking picture of what is going on in Leicestershire and Hertfordshire. In a recent number of the *Leicestershire Chronicle*, I find the following paragraph:—

> "Since 1845, there has been a diminution in the committals to the county gaol, but no diminution in game offences. The cause of this is stated by the exemplary chaplain as follows:—
>
> "Commitments under the game laws have alone exceeded those of the previous year. With respect to this class of offenders, it is obvious, that the *malum in se* being very generally questioned, a formidable barrier is thus presented to the influence of any reformatory system."

In a recent number of the *Herts County Press*, a paper which is known to be generally devoted to the views of hon. Gentlemen opposite, I find the following article, which I have reason to believe was written by a clergyman in that county:—

> "In the county prison are now—that is, at the Epiphany session—confined 106 prisoners: of these 47 are for poaching! Nearly half you see of those in the county gaol, more than half those in the liberty gaol—add these together, and we have 153 prisoners, of whom 69 were poachers. Think of this, gentlemen of Hertfordshire, when next you discuss the cause of demoralisation among us, or take in hand some remedy for the perils of the nation. Just one short of seventy are in your gaols for aggression on the sports of the higher classes. Dare you multiply this by 40, and find that 2,760 are in gaol in the whole of the English counties? or can you feel satisfied that our county should furnish an unhappy disproportion of such cases? I cannot pledge myself for the accuracy of an unit; but there is no intentional exaggeration, and the proportions can hardly be altered. I go at once to the preserver, and ask him to consider with himself, as a matter of conscience, how far he is morally justified in perpetuating and breeding this temptation?—whether, when we shall have added to the imprisonments all the fines, expenses, &c., which have been inflicted, his sport be not pursued at a sad cost to his poor neighbour; and whether an estrangement may not be growing up between the upper and lower classes on these grounds, which may remind us slightly of the state of things which preceded the French Revolution?"

I now come to a still more serious part of the question, as to offences against these laws; and I will give the House a sample of the cases which have occurred, or which have been referred to in the public papers, during the last two or three weeks. In the *Times* of the 11th of March, I find the following account of a poaching affray in Wiltshire:—

> "Harris and Meadham, tried for cutting and wounding Grant, a keeper of the Marquess of Aylesbury. Three keepers heard shots on Bedwin Common; saw four men coming down Bath and London road; keepers were armed with swingels resembling a flail; keepers stood in the middle of the road, and King, one of them, said, 'Holloa, lads, what's up?' Fight began; tremendous fighting took place; 'the blood streamed down Grant's head, nearly blinding him.' The heads of the keepers dreadfully cut, and the worst consequences were apprehended for them. Thomas Meadham's arm was broken, and Maurice Meadham died from concussion of the brain the same day. The affair caused much pain to the Marquess, who sent messages every hour for intelligence as to the state of the deceased."

Thomas Meadham was afterwards transported for seven years. This is a case which may be taken from a great number of others; but here is another specimen:—

> "Dec. 25. Christmas Day. Thomas and Wallace, poaching in a wood belonging to Mr. Beaumont, of Bywell, Northumberland; desperate fight with keepers; Thompson fired twice or thrice, once at a large dog with the keepers; Wallace wounded in the thigh; both taken; sent to Morpeth gaol, where Wallace died of lockjaw, on or about the 3rd January.
>
> "Manslaughter. Fifteen years' transportation on Thompson.
>
> "Keeper said in evidence, 'My dog is between a Newfoundland and a bloodhound; he is very large, but I do not know how savage he is. I keep the dog to go with me at night; he has been trained to scent a man; he can trace the footsteps by the scent, and take me to any part of the wood where anybody is.'"

I know not how landed proprietors living in a Christian country can reconcile it to themselves, not only to keep an armed police separate from that which is deemed sufficient for the preservation of public order, but that they should also maintain dogs, which, be they bloodhounds or mastiffs, are used for the purpose of scenting out and hunting down the men who transgress the laws which they have enacted, simply for the preservation of their sports. I now come to a case which recently occurred near Cardiff:—

> "Three men, Davies, Hill, and Bryant, were charged at Cardiff with shooting David Davies, an assistant gamekeeper to W. W. Lewis, Esq. The gamekeepers were aroused by the continued discharge of firearms in the preserves. The keepers' dogs scented out the three prisoners, and another man not in custody. The keepers followed, demanding their names, telling them they did not want to have any quarrel with them; they refused to give their names; one of the keepers seized Bryant by the leg to prevent his getting over a fence; Bryant resisted; the keeper struck him on the arm with a stick till he dropped his gun; Davies shouldered his gun, and cried out, 'If you don't let the man go, I'll blow your brains out.' The three other keepers rushed forward and laid hold of it by the stock; the prisoner resisted, the gun went off, and the deceased received the contents in the groin; he staggered, fell down, and cried out, 'I am shot; I am a dead man.' He was carried to a cottage, covered with blood, but life was extinct."

But it is not in the south or the west alone that these cases occur; a case recently occurred in the county of Lancaster; at Crosby Hall, in that county:—

> "Four keepers and four poachers had a desperate fight for twenty minutes, the poachers getting the worst of it. During the struggle a gun was fired, but without any effect. The poachers used their gunstocks and bludgeons, and the keepers were armed with strong heavy cudgels.
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> "The wounded man, Tudor, who was lying on the ground in a state of insensibility, was then conveyed to the hall, as well as his companion Brown. Tudor had a severe wound on the head, which had been inflicted by one of the keepers' clubs, besides other injuries, and his recovery is considered very doubtful. Brown had several cuts and bruises, but not of a serious character."

The next case is one which is taken from the *Hants Independent* of March 11th, in the present year, being only a few days back. It is that of the murder of

> "Charles Payne, assistant gamekeeper on the estate of Mr. A. R. Drummond, of Cadland Park, Hants. The watchers were only armed with sticks. The poachers had two guns, and they used the butt-ends of the guns to beat off the watchers. Deceased's skull was fractured by the butt-ends of the guns, and one gun went off by accident, and part of its contents lodged in the breast of Morris, but not to any serious extent. Payne survived but a short time. The coroner's jury returned a verdict of wilful murder against Morris as principal, and against Smith, Bracker, Cavell, and Knapp, as accessories. Morris, the principal in the affair, is the son of Stephen Morris, the head gamekeeper. Thus the father is chief gamekeeper, and the son is a poacher, and now charged with murder."

[Sir G. GREY: But they were not convicted.] No; I am aware of that; they have not yet been tried; but the case is in no degree altered by that circumstance, nor, I trust, will it therefore be permitted to lose its just force with the House.

The next case I shall quote is one which occurred upon the preserves of a nobleman connected with the present Government; I allude to the Marquess of Normanby. It took place about the 1st of February:—

> "Five keepers were watching in the Mulgrave Woods; heard firearms; keepers armed with sticks, the Marquess forbidding firearms. They met a gang of poachers, armed with guns; summoned them to surrender. One of the gang presented his gun and fired at a keeper named Brown, the contents lodging in his arm. A struggle followed; the keepers were beaten off, the poachers firing at them. The wounded man was carried to the nearest house. One of the gang was shot in the thigh by one of his comrades. He crawled away, concealing himself in a thicket, but was discovered. The wounded poacher died on the following Thursday."

The next and the last case I shall allude to is one which, at the present moment, is exciting a very considerable amount of public attention. It is the case of two men named Thompson and Dowson, who are now lying in Durham gaol, under sentence of death, for the murder of a man named Shirley, the whipper-in of the Duke of Cleveland, at Raby Castle, but who, it appeared, upon the occasion of this affray, was acting as keeper. Shirley was shot in the arm, and died twelve days after the affray took place. I ask the House whether I am trespassing too much upon its attention, if I entreat you to consider, with the greatest attention, the propriety of abolishing a system which entails upon the country disorders like those which I have recounted. I can tell hon. Gentlemen that if they will not pay attention to this important question, and if they do not endeavour, to the best of their ability, to remedy these fearful evils, they will not be fulfilling their duty to their constituents, and will disappoint the just expectations of the people of this country. I will say nothing with regard to the case of these two men, so far as it is connected with the principle of capital punishments; the whole matter has been brought under the notice of the Home Secretary, and doubtless it has been a circumstance of the most anxious and painful solicitude to him; but I am prepared to maintain that upon all the principles laid down in the recent discussion on capital punishments, there must be a wide difference between a death which was caused by an affray of this nature, and one which is the result of cool, deliberate, and long-planned murder, such as those which have occasionally been brought before the notice of the public. I can tell the House, that the case of these two unfortunate men is at the present moment exercising the most injurious influence upon the minds of the population of the county of Durham. Every pitman in that county, if not himself a poacher, at least sympathises with poachers; and his feelings are strongly in favour of those who are convicted under the game laws; and yet I can assure the House that there is not a more deserving population in the kingdom than that which is to be found employed in the mines of that county. If it be true, as has been stated by the right hon. Baronet the Member for Ripon, that the lower orders have as strong a propensity for taking game as the higher, and that they have as great a natural love for sporting as the proprietors of land themselves, is it to be wondered at that, finding their fellow-labourers involved in these awful circumstances, they should feel the strongest sympathy for their fate? I will say nothing in the way of excuse for these men. I will not utter a word in palliation of their crime; but this I will say, that Parliament has a duty to perform, and that the Legislature of this country is bound, if possible, to prevent a recurrence of these melancholy catastrophes. Sir, I hope that I have been successful in convincing the House, that from the year 1796, up to the present hour, no change made in the game laws has in the slightest degree diminished the evil consequences which arise from their operation amongst our labouring population. An hon. Member opposite has brought in a Bill, founded upon one single passage which occurs in the report of the Committee of 1845 and 1846, the object of which Bill, as stated in the language commonly used to describe it, is, to make hares into rabbits—that is, to place hares with regard to the law in the same position as that which rabbits now occupy. It is, indeed, an extremely fanciful idea to suppose that any good can possibly arise from such an alteration of the law. If it be apprehended that the placing of hares in the same category with rabbits, will afford any remedy for such evils as those which I have described, the hon. Gentleman who introduced this measure must be the most sanguine individual who ever attempted anything in the way of legislation. Does the House forget that nearly all these frightful and bloody encounters have taken place, not with regard to hares or rabbits, but with regard to pheasants? Did not the evidence of Sir James Graham in 1828 clearly prove that poaching had increased since the introduction of pheasants into his neighbourhood? Does not the evidence of Sir William Rae prove the same fact with regard to Scotland? That distinguished individual was examined before the Lords' Committee in 1828, when he stated that "night poaching has increased materially since the introduction of pheasants into Scotland; I am not aware that it existed before that time." You may as reasonably fancy that the alteration in the game law, as proposed by the hon. Member for South Derbyshire, will have an effect upon certain evils which exist in America or India, as to suppose that it will afford a remedy for the crying evils of the present system in this country. The only possible effect of such a measure will be, that a certain number of persons, who are owners or occupiers of land, will be thereby relieved from a tax which they now pay, to the amount of 4*l.* per annum. Take the case of rabbits at present, and look to the petty sessions' trials; you will there find that the number of convictions under the game laws for poaching or pursuing rabbits, is probably equal to the number of convictions for taking or poaching any other kind of game: and you will there find that rabbits are, for the most part, as zealously and carefully preserved as any other species of game. Bring hares into the same category with rabbits, and offer that to the House and the country as a remedy for the evils to which I have called the attention of the House! I declare, Sir, there could not be a greater mockery of legislation, or one which would be more calculated to demonstrate to the country that this House is not disposed to remedy these evils, but that Parliament would rather allow them to continue than trench upon what are considered the "privileges" and the "sports" of the rich and powerful classes.

Now, what is it that stands in the way of the House adopting the measure which I propose? Who are the parties interested in the maintenance of the game laws; and what is the number of individuals for whose pleasure and enjoyment this system is kept up? In 1841 and 1842, the number of game certificates taken out was only 34,676, and the number of certificates for gamekeepers amounted to 2,651. At this moment, out of the whole population, not more than 40,000 persons are in the habit of taking out game certificates; and it is probable that at least one-half, even of that number, do not partake of the exercise and pleasure of shooting for more than a very few days in the year; and yet it is for the sake of continuing to this handful of the population the preservation of this game, and the pleasure of this sporting, that the country is to be insulted and oppressed by the existence of these laws. Let the fact be remembered, that in order to find sport for 40,000 persons at the utmost, taking out game certificates annually, that not less than about 5,000 of their fellow-countrymen are every year subjected to fines and imprisonment for offences against the game laws.

The right hon. Gentleman the Chancellor of the Exchequer may perhaps object to the abolition of game certificates upon revenue considerations; for he received in the year 1847, 157,000*l.* as a tax upon these certificates and licenses. But seeing that the right hon. Gentleman has admitted his willingness to agree to the measure of the hon. Gentleman opposite, the Member for Derbyshire, I feel confident that he will not interpose any grounds of objection arising from the necessity of the revenue to the proposition which I am now about to submit to the House.

From the tone of hon. Gentlemen in speaking upon this subject, it would appear that they do not believe that much discontent exists in the country in connexion with the question of the game laws; but if general sympathy with the offenders who are convicted under these laws, is to be taken as any proof of discontent which exists with the laws themselves, then I say there is the best possible evidence that an universal dissatisfaction prevails with regard to the conduct of the House upon this question. It is a discontent which,

> "Smouldering as it goes, in silence feeds;"

and it is just possible that an opportunity may some day arise, when this feeling will develop itself in a manner which every man, both within this House and out of it, would greatly deplore. I contend, then, that I have shown the House that all its past legislation upon this subject has failed, and that if you continue your old policy, and refuse to adopt a new and more wholesome one; if you refuse to return to a more natural and just principle of legislation, I would ask how and when are these evils to terminate?

The true principle, and the only true principle of legislation upon this question is, that while we give to every man protection for his property, we should, at the same time, give no special encouragement or sanction by law to the preservation of game. The preservation of game is unnatural in a densely peopled and cultivated country, and it is clearly incompatible with the best interests of the population of this kingdom at the present time. I am desirous of bringing the House back to the principle of the common law, which declares that whatever wild animals are upon the land shall be the property of the owner or occupier of that land; but recognises no special law for the purpose of sanctioning the accumulation and preservation of these wild animals.

I come now to the Bill which I propose to submit to the House. It is a measure which involves the repeal of every law which this House in past times has made, especially for the preservation of those animals which have been dignified by the appellation of "game." It is entitled "A Bill to repeal the Laws relating to Game;" and it consists chiefly of one clause, which is a repealing clause, and another short clause having reference to compensation for damages committed by game. The preamble states that "Whereas the preservation of game is injurious to agriculture and to the morals of the labouring classes, and whereas the laws now in force with reference to game are opposed to the public welfare; be it therefore enacted;" and the clause states, that after the passing of this Act the several Acts set forth in the schedule shall be repealed. The schedule sets forth the Acts referred to. It includes the 48th George III. cap. 55; 52nd George III. cap. 93; 9th George IV. cap. 69; 1st and 2nd William IV. cap. 32; 3rd and 4th Victoria, cap. 17; 7th and 8th Victoria, cap. 29; and the following Scotch Acts; Act 1621, cap. 31; Act 1707, cap. 13; Act 13, George III. cap. 54; Act 2nd and 3rd William IV., cap. 68. So much for the principal clause. The second clause is one which I am not so anxious to press upon the attention of the House, but which I am, nevertheless, convinced is one which will be productive of no small benefit: it is a clause giving to the occupier of the land a right of action for damage on account of game kept and harboured on the adjoining land, and doing damage to the crops of the occupier of such land. This is a provision which was very much pressed upon the attention of the Committee by the hon. Member for Berkshire (Mr. Pusey) and other intelligent witnesses. There is one question upon which I know that I shall be met, and upon which I must ask the House to allow me to make one or two observations, and that is with respect to the law of trespass. In this Bill I have proposed to repeal the game laws; but I have not inserted any clause relating to trespass. My object in doing so was, because I felt that the more simple the Bill that I was about to introduce to the House the better; and because I was quite certain that if a new law of trespass were found to be necessary, and could be proved to be desirable, that the landed proprietors in this House could easily originate one, and, with their great influence in the House, they would have a certainty of success in carrying it through Parliament; and I, for one, admit that I should be willing to give it a very favourable consideration. But if it be thought desirable, and, if landed proprietors wish for a trespass law which shall be a new game law, then I should certainly resist the passing of such a measure; but I am anxious to give them all the just protection which this House can afford for their property, and to enable them to prevent any encroachments thereupon. I beg the House to observe, that in the proposition I now make to it, I have introduced nothing which interferes between landlord and tenant; I have proposed nothing which in any way interferes with the rights of property. In a recent discussion, I was charged with intending to do both these things; but there is not a Member of this House who would more strongly resist any aggression by law upon the just rights of any class of the community, whether it be the rich or the poor, than myself. But the present game law does interfere with the right of property. For example, it declares that the game which is upon the land shall belong to the owner of the land; but it prevents him from killing the game upon his own estate, except at certain times of the year; and does this for the express purpose of aiding in the accumulation of game. Now, I would have all those unjust restrictions abolished. I would allow the owner or occupier of an estate, to kill all the wild animals which live upon it, at such times and in such manner as he may think proper. In this respect, I should interfere less with the rights of property that they are now interfered with by the existing game laws. Before I conclude, there is one custom which exists in this country, connected with this question, to which I must advert in terms of the strongest reprobation; I allude to that monstrous system by which, instead of gentlemen contenting themselves with ordinary sporting, they seem to derive pleasure from merely slaughtering game in vast quantities in a short time. I have here a paragraph, which has been taken from a newspaper published in the county of Suffolk, the *Bury Post*, giving the result of five days' shooting at Buckenham Park, belonging, I believe, to a gentleman of the name of Baring. In these five days, not less than 3,780 head of game were killed, upwards of 2,500 of which were pheasants, the very creatures from the preservation of which have arisen so many of those frightful and bloody encounters to which I have already alluded.

For myself, I cannot imagine what pleasure can possibly be derived from wholesale slaughter of this description. I ask the House, whether there is anything in the cock-fighting, dog-fighting, bear-baiting, or bull-baiting, which some years ago formed the favourite amusements of the lowest classes of this country, but which now, even amongst them, are almost extinct—I say, I ask the House if there is anything in these brutal amusements more degrading, and more shocking, than such a system of slaughter as that which I have described? It makes me think that a remark made by Mr. Alison, the historian, must be true, where he says—

> "There is often no material difference between the English young noble, and the Red Indian or the Arab: the treasures of science—the refinements of taste—the luxuries of wealth, are disregarded or forgotten, and the real excitation of life depends upon the destruction of wild animals, or the management of impetuous steeds."

I have now stated the case which it was my wish to submit to the House. I believe it is impossible to dispute the facts I have detailed, or to overturn the arguments upon which this case is founded. I believe that nineteen-twentieths of the tenants of hon. Members of this House who are landed proprietors, would go with me entirely in the statements I have made, and in the proposition which I have now to submit to the House. I have a great number of letters from farmers, residing in all parts of the country, approving of the course I have taken in this matter, and expressing their anxious hope that this Bill may pass into a law. I know that I speak to a House where such a proposition as this is by no means palatable. I speak to the proprietors of land—to gentlemen who are fond of sporting—to those who preserve game—and to those who have not paid so much attention to the evils of the ssystem as I have paid. But however they may treat this proposition, let them not forget that there is a public sentiment in my favour, and against them, which will not remain quiescent. They may reject this Bill; but hereafter they will be compelled to propose such a measure, or one for the same object and in the same direction. I ask the House to have a due regard for that public sentiment—to respect the interests of the tenantry—to consider the prospects of agriculture—and to have some regard for the morals of the peasantry; and to reflect that the lives of gamekeepers and of poachers are worth a consideration on the part of this House. You build churches and endow schools; and you profess a sincere wish that the labouring population of this country should be elevated and civilised; and yet you maintain a system which, by the evidence of your own Committees, and by the testimony of all your courts of justice, has done more to demoralise the peasantry than any other thing which can, perhaps, be mentioned. It is on behalf of this public sentiment, and on behalf of all who suffer from the injuries inflicted by the game laws, that I now ask leave to bring in this Bill; and I beseech the House to make it one of the permanent and irrevocable, because one of the just statutes of this realm.

MR. COWAN seconded the Motion, and in doing so, he wished to disclaim any unkindly feeling towards the owners of property. He had often experienced the kindness of many landlords in permitting him to sport over their properties. He must also express the satisfaction he felt that, at a time when convulsion pervaded Europe, this country possessed a body of gentlemen who, for patriotism and intelligence, and the many qualities that adorned the country gentleman, offered one of the greatest securities that could exist for the preservation of the country's peace and security in troubled times. He could say, however, with perfect sincerity, that it was on their account, as well as for other reasons, that he hoped the Motion new made would receive the sanction of the House. His hon. Friend had entered at such length into the subject that he would not detain the House with many observations. He thought his hon. Friend had abundantly proved the allegations made in many of the petitions which had been presented to the House, that there was a monstrous waste of human food caused by the game laws; that these laws were founded on injustice, and were a remnant of the feudal system—a system utterly unsuitable to the circumstances of the present age. He had presented many petitions on this subject himself; and, perhaps, he might be allowed to say, in reference to that part of the kingdom with which he was more immediately connected, that in the Lothians, Forfarshire, and adjacent counties, many of the largest and most intelligent farmers entered with much spirit, zeal, and determination into an association to induce the Legislature to put an end to the grievances which existed under the present laws. His hon. Friend had referred to several cases of damage which had arisen from game, and he would only adduce one more. He gave it on the authority of Mr. Stephenson, a distinguished agriculturist in East Lothian, and it showed the rapidity with which game was made to increase on some estates. On one farm, rented at 1,000*l.* a year, the damage during three years was found to be as follows:—The first year, 100*l.*; the second, 500*l.*; and the third, 830*l.* The opinion of two eminent counsel was taken as to the claim of the farmer to compensation; but the case was not tried at law, but referred to the landlord, who had not yet intimated his intentions. He did not approve of the clause which provided for compensation. He thought any such provision was calculated to produce heartburning and ill-feeling between landlord and tenant. The *onus probandi* necessarily devolved upon the complainant, and how could he prove by whose game it was that his corn was consumed? The injury was sustained for the most part at night, and the animals committing it could not be identified. He thought the matter would be infinitely simplified by giving the tenantry the right to destroy all descriptions of game. It surely was only fair that the persons who fed the animals should be allowed to protect themselves against the fruits of their labour being destroyed and eaten up. Reference had been made to the tenant being prohibited from keeping a dog or a cat, unless under certain conditions, one of them being that the dog should be kept chained. He thought this was a badge of slavery as objectionable as though the owner of the dog were obliged to wear a collar round his own neck. He felt curious to know what arguments could be adduced against the adoption of the very reasonable course proposed by his hon. Friend. He would entreat the favourable consideration of the House to the Motion now submitted. The agricultural tenantry—the parties more immediately concerned—were a body of men to whom the country at large lay under the deepest obligations. There were many hon. Members who had assumed to themselves the title of the friends of the British farmer, and an opportunity was now afforded to those gentlemen to prove the sincerity of their professions. Now, that protection had been removed against unrestricted competition with the foreign producer, it became doubly necessary that the British farmer should not be discouraged and impeded in his operations by the existence of laws which robbed him of his hard-earned gains. It had been proved by various historians—and especially by Mr. Alison—that the game laws of France had been one of the principal causes of the first French Revolution. The hon. Member concluded by quoting an extract from a letter which he had received from a gentleman who had the management of an estate in Scotland, which yielded between 30,000*l.* and 40,000*l.* a year, in which an earnest hope was expressed that some modification of the game laws would be adopted by the Legislature, because at present they were the source of much unkindly feeling between landlord and tenant which would not otherwise exist.

Colonel SIBTHORP was aware it might seem uncourteous to prevent an hon. Member introducing a Bill into that House; but he felt so strong on this subject, that he must waive every such consideration, and must give his decided opposition even to the Motion for leave to bring in a Bill. If he had ever entertained any doubt whether he should object to this Bill or not, the conclusion of the hon. Member's speech would have satisfied him of the propriety of doing so; for the hon. Member had stated that he had not touched at all upon the law of trespass, and therefore he (Colonel Sibthorp) imagined that the hon. Member did not at all object to any inroad, molestation, or devastation of any kind upon the property, effected by poachers. The hon. Member (Mr. Bright) had been an Anti-Corn-Law League man; but that association having gone to slumber for a short time, he had become a member of another league equally contemptible. He (Colonel Sibthorp) founded his objections to the present Bill mainly upon the report of the Committee who had sat upon this subject in 1845–6. That Committee had sat from the 12th of February to the 20th of July, 1845, and again from the 22nd of February to the 6th of July, 1846, and had incurred an expense to the public of several thousand pounds; and what good had it done? After receiving a vast body of evidence—the greater part of which he maintained was diametrically opposed to the views of the hon. Member for Manchester—it had ended like the smoke of the smallest cigar. But even in the report of that Committee there was not a single clause which condemned the preservation of game. On the contrary, it was admitted that a modified right of property in game had always been recognised by the common law of the land, and that every fair and proper protection ought to be given to it. So that, after all the expense that had been incurred, the Committee had reported quite the contrary to what the hon. Member for Manchester had anticipated. He warned the House, therefore—having already incurred so much expense and trouble in the matter—to be cautious how they involved themselves in still further trouble and expense by sanctioning the introduction of a Bill which, he predicted, must like the Committee, end in mere smoke. He certainly was surprised that such a measure as this should be brought forward by the hon. Member for Manchester; for if he (Colonel Sibthorp) ever saw a man the least calculated for a sportsman—one whom he should think the least likely to ride a steeple-chase, or to be found catching fish, with a worm at one end and—he would not say what at the other; if ever he saw a man whom there was so little chance of detecting in the pursuit of any game or of fish, except in a punt under Westminster-bridge, it was the hon. Gentleman the Member for Manchester. He had gone through the whole mass of evidence adduced before that hon. Member's Committee, and he would distinctly assert that none of it justified the conclusion at which the hon. Member had arrived. It was neither more nor less than a libel on the landed proprietors of the country to bring in such a measure as this. It was the unanimous opinion of the tenant-farmers that the game preserves were the main cause that induced gentlemen to reside on their estates, and fulfil those duties which their wealth and station in society called upon them to discharge. But even in a financial point of view this Bill was objectionable. No less a sum than 223,140*l.* 11*s.* 8*d.* was received as duty on game certificates, taxes for hounds, harriers, and so forth. He should not suppose the Chancellor of the Exchequer could well afford to spare so large an item in his receipts. For these reasons he felt it his duty to give his most strenuous opposition even to the introduction of the Bill.

SIR G. STRICKLAND said, that, notwithstanding all that had been done of late years to improve the game laws, a strong feeling yet existed in the country that they were oppressive and unjust. He had listened to the speech of the hon. Member for Manchester (Mr. Bright), and it must be confessed that it was a very powerful one, as far as related to its decription of the evils of the game laws; but when he came to his proposed remedies, then the hon. Member broke down. If the hon. Member's measure were carried, it would introduce in six months anarchy and confusion into the whole state of the relations between landlord and tenant. The tenant who suffered from game was, if he understood the hon. Member aright, to have a remedy against his neighbour who preserved by an action at law; but how was he to mark the pheasants, hares, and rabbits by whom he was injured, or tell from whose lands they came? All the remedies proposed were of a similar nature; and he could not but believe that the hon. Member was somewhat ignorant upon the subject he had taken up, as he had described hares and rabbits as similar animals, as far as injury to the farmer was concerned. The hon. Member said that twelve rabbits devoured as much as two sheep, but had not recollected at the same time that the rabbit, as well as the sheep, were human food. If the hon. Member would take a walk along the streets, he would see that the Cockneys were far from being averse to that kind of food, and were quite willing to give a high price for them. The hon. Member's new regulations were proposed to be equally stringent against rabbits as against hares; but in his (Sir G. Strickland's) neighbourhood the farmers found that rabbits were more profitable than sheep, and transformed large portions of their farms into warrens, and cultivated food for them. Would the hon. Member then prevent farmers from devoting their skill and energy to a pursuit which they found profitable? He mentioned these facts to point out the difficulties involved in the subject—difficulties which he did not think the hon. Member had at all removed.

SIR GEORGE GREY agreed that the House was indebted to the hon. Member for Manchester for calling their attention to the subject by this proposition. The discussion was one which the House ought to entertain, inasmuch as it might be productive of considerable benefit. The hon. Gentleman had forcibly pointed out the evils arising, not so much from the present game laws, as from the great accumulation of game, and its strict preservation practised in some parts of the country; still the remedy now proposed, he believed, would not remove the evils alluded to, whilst it would introduce others in addition. The hon. Gentleman overlooked the real cause of these evils, which was, as he had said, the accumulation of game. On one point he entirely agreed with the hon. Gentleman's remarks, and he thought the majority of the House would join with him in condemning the modern system of battues. That any country gentlemen should be induced to pursue this system for the mere purpose of inserting in a newspaper a statement of the enormous quantity of game killed at a particular spot in a particular time, was utterly unworthy of them; and it was this custom, he believed, which led to the great majority of the offences committed under the game laws. He rejoiced that this subject had found favour with the House; and was so far indebted to the hon. Gentleman for proposing this Bill, as it might lead to a discontinuance of the system, which was fraught with the greatest evils. The hon. Gentleman had spoken of the game laws as injurious to crops, to tenants, and to the general morals of the country. With respect to the injury to crops, he believed that great injury was done by game, especially by hares, whilst pheasants were very destructive to the crops adjoining the coverts. But when the hon. Member spoke of the great loss of food thus occasioned to the country generally, he forgot that the game was food; and the real evil was that this game, used as food by one man, was maintained out of the property of another. Was that the consequence of the law or of an agreement between landlord and tenant? It was well known the amount of game on an estate was generally an element in the conditions of such agreements. The Act 1 & 2 Will. IV., c. 32, gave the occupier of land, when possessed of a game certificate, the right of killing game on his own land. But the system of preserving game was a grievance which Parliament had never yet touched, and any attempt to touch it would be absolutely futile. There was no law at present in force which prevented any tenant, more than a landlord, from keeping as many dogs as he pleased, provided he paid the tax upon them; but this was one of the matters which entered into the agreement between landlord and tenant. The hon. Gentleman thought the Bill introduced by the hon. Member for Derbyshire (Mr. Colvile) would do nothing to mitigate the evils at present existing; but he differed from the hon. Member. He admitted that considerable destruction might be occasioned by pheasants as well as hares; and whether the Bill should be so extended as to embrace both descriptions of game, would be a question for the Committee. But the House was indebted to the hon. Member for Derbyshire for having introduced that Bill, which he hoped would receive its sanction. The most important branch of this question was its moral bearing; and here he must say, he thought the hon. Member was mistaken in supposing that no improvement had taken place. The hon. Member said that the number of convictions under the game laws was yearly increasing, and also the demoralisation consequent upon them; but his information did not lead him to the same conclusion. Though offences under the game laws were unhappily frequent, there was a diminution of them as compared to former times, arising partly from the attention directed to the subject by repeated discussions, and from the measures taken to prevent those offences. Under the Act of William IV., relating to offences committed during the day, no transportation had taken place. The Act under which the most serious offences and convictions occurred was the Act of George IV., c. 69, called the Night Poaching Act. He believed that from the date of the report of 1846 not a single person had been sentenced to transportation under the first section of that Act. Another section related to persons committing acts of violence; and under this three persons only had been sentenced to transportation in the year 1847. He found that the number of persons summarily convicted for offences under the game laws in the year 1845 was 2,796—which was considerably less than the number given in any previous return. [Mr. Bright: That was only the number imprisoned; the number, including persons sentenced to fines and imprisonments, was 4,800.] Still if the return were compared with those of former years, it showed a considerable reduction. He should thankfully give his assistance to any attempt to diminish the evils of the present system, and remove the temptations to crime that abounded; but he must say he thought the proposition of the hon. Gentleman would utterly fail in attaining that object. The hon. Gentleman proposed to alter the Act of 9 George IV., whilst that of William IV. he would repeal altogether; but he ventured to say that if these steps were adopted, the result would be that the soil of England would be overrun by persons engaged in the capture or destruction of game. The only remedy which the hon. Gentleman would allow as a protection to property was the right of bringing an action at law against the thousands of individuals who would be thus overrunning the country. This would be to hold out a premium to crime. If the hon. Member meant to introduce an alteration of the Trespass Act, so as to adapt it to altered circumstances, they ought to know what that alteration was; but he apprehended there would be great difficulties in the way. If the law were to be made much more strict than at present, and persons were to be taken up and subjected to severe penalties, the effect would be to make the law of trespass intolerably stringent and severe as relating to ordinary cases. He wished the hon. Gentleman had been satisfied with a much more moderate proposal, though he was prepared to give it his best attention, admitting that it was time a Bill, founded on the recommendations of the Committee, should be passed. He thought that it would be extremely injudicious to get rid of the game laws altogether in the way proposed, for the trespass law, applied as proposed, would become an intolerable nuisance. With respect to the loss of life to which the hon. Gentleman referred as having arisen from poaching, he knew there was a deep feeling in a large portion of the population on the subject, for they looked upon poaching as no crime, and regarded murders committed by men engaged in poaching in a different light from murder committed under different circumstances. He was sure the hon. Member was the last man to sanction such a palliation of crime, or to consider those persons who while engaged in the unlawful pursuit of game, killed those who endeavoured to arrest them, as not being guilty of murder. The hon. Member had alluded to a case which had recently occurred in Hampshire, with the details of which, however, he was not particularly acquainted; but that case would be carefully sifted before the Judge and jury. It did not always follow that when death occurred in affrays between poachers and gamekeepers, while the parties were in hot blood, they were treated and punished as murderers. He would not refer to the case which had occurred in Hampshire; but with respect to all the other cases of trials for murder in connexion with the unlawful pursuit of game, with the exception of the unfortunate affair on the Duke of Cleveland's estate in Durham, the verdicts were manslaughter. He was unwilling to allude to other cases where people were under sentence of death; but he cautioned the House against believing that persons suffered the punishment of death without qualification, in cases of murder arising out of infractions of the game laws. In some cases, however, where murder was committed without the slightest provocation, and where shots had been fired in ambuscade, and death had ensued, in the endeavour to prevent detection, and where men met for those unlawful purposes, and would take away human life rather than be interrupted in their illegal acts, then the case became of the most grave and serious nature, and must be dealt with accordingly. The questions arising out of cases of this kind were the most painful which persons in the situation which he had the honour to hold had to deal with. Before any final decision was come to in these cases, the Judge had to be consulted, and the whole circumstances of the case were carefully investigated, and his most anxious care was that a calm and just decision should be arrived at. He begged the House to remember what the law was, and not allow it to be proclaimed to the world that a man, while engaged in an unlawful pursuit, and who killed another, was not guilty of murder. In opposing the introduction of the Bill, it was not from any want of respect to the motives which had actuated the hon. Member in bringing the subject forward; on the contrary, he thought the House was much obliged to the hon. Gentleman for the care he had devoted to the subject. But he felt that the adoption of this Bill would introduce evils of greater magnitude than those now existing, and wishing, as he did, to see some amendment in the existing law which would have practical effects which would not be attained by the proposed measure of the hon. Gentleman, he hoped that it would not receive the sanction of the Legislature, as it would not accomplish the objects the hon. Gentleman himself had in view.

MR. BAILLIE COCHRANE was anxious to make one remark as to a relative of his own. He must say that the hon. Gentleman had been guilty of a great and gross impropriety in alluding to a case—which he regretted was also referred to by the right hon. Gentleman—which had recently occurred in Hampshire. That case had given the greatest pain to the gentleman with whom he was so nearly connected. He complained, above all, of tho impropriety of manner in which that case had been alluded to, as it had not been tried. He thought that the right hon. Baronet would have taken a more judicious part in not having alluded to it. He would appeal to many hon. Members in that House who were acquainted with his relative, as to the high character that gentleman bore; and he believed it would be universally admitted that no one could behave more kindly to the tenants as well as the peasants on his estate, than that gentleman. He regretted that the hon. Member, as well as others from the manufacturing districts, still persisted in making general and sweeping accusations and charges against particular classes.

MR. PAGE WOOD denied that the supporters of measures of this kind wished to deprive any class of public estimation or esteem; but they were desirous to do that which would do more to raise that class in the estimation of the country than any other act they could perform in the course of the Session. He did not believe that the great grievance, arising from the game laws, could be relieved by any palliatives; therefore they must be altogether got rid of. He had hoped that the right hon. Gentleman had some remedy, for he intimated that some measure might be adopted, founded on the resolutions of the Committee of 1846, but he concluded his speech without suggesting any thing of the kind. He did not believe that any measure which was intended to carry the resolutions of the Committee into effect, would be of the slightest avail in checking the evil. It was vain to expect that country gentlemen could induce any class of the community in this country to believe that the infraction of the game laws was a *malum in se*, although they had made it a *malum prohibitum*. The whole evidence before the Committee showed that this feeling generally prevailed from the highest to the lowest classes. A man of the name of Cohen, to whom allusion had been made, stated that he had been in the habit of supplying the nobility, gentry, and the clergy, with poached pheasants' eggs—that was, with the eggs of pheasants obtained in an illegal manner. It was clear that these persons thought it to be no crime to receive goods obtained by poaching; but they would scout the notion of receiving any other description of stolen property. Would any of them receive, for instance, stolen silk, or other rich articles? This feeling arose from the circumstance that you could not make animals wild by nature be regarded as property. On this subject he could not help alluding to an observation of the first living poet of the age, as relevant to the subject. He hoped that there were many in that House who agreed in the expression:—

. . . . "Mingle not your joy
With sorrow of the lowest thing that breathes."

But he was aware that a very large portion of mankind entertained a very different feeling. On the subject of the game laws, he would refer to the opinion of an eminent legal authority as to their character; and he begged the House to recollect that *non meus hic sermo*, for he should not have liked to use such strong language:—

> "Lastly, there is another offence, constituted by a variety of Acts of Parliament, which are so numerous and so confused, and the crime itself of so questionable a nature, that I shall not detain the reader with many observations thereupon. And yet it is an offence which the sportsmen of England seem to think of the very highest importance; and a matter, perhaps the only one, of general and national concern, associations having been formed all over the kingdom to prevent its destructive progress. I mean the offence of destroying such beasts and fowls as are ranked under the denomination of game, which, we may remember, was formerly observed (upon the old principles of the forest law) to be a trespass and offence in all persons alike, who have not authority from the Crown to kill game (which is royal property) by the grant of either a free warren, or at least a manor of their own. But the laws called the game laws have also inflicted additional punishments (chiefly pecuniary) on persons guilty of this general offence, unless they be people of such rank or fortune as are therein particularly specified. All persons, therefore, of what property or distinction soever, that kill game out of their own territories, or even upon their own estates, without the King's license expressed by the grant of a franchise, are guilty of the first original offence, of encroaching on the royal prerogative. And those indigent persons who do so, without having such rank or fortune as is generally called a qualification, are guilty not only of the original offence, but of the aggravations also, created by the statutes for preserving the game, which aggravations are so severely punished, and those punishments so implacably inflicted, that the offence against the King is seldom thought of, provided the miserable delinquent can make his peace with the lord of the manor. This offence, thus aggravated, I have ranked under the present head, because the only rational footing upon which we can consider it as crime, is, that in low and indigent persons it promotes idleness, and takes them away from their proper employments and callings; which is an offence against the public police and economy of the commonwealth."

In another place he says—

> "The statutes for preserving the game are many and various, and not a little obscure and intricate, it being remarked that in one statute only there is false grammar in not less than six places, besides other mistakes, the occasion of which, or what denomination of persons were probably the framers of the statutes, I shall not at present inquire."

Again, with respect to their introduction, he says—

> "Another violent alteration of the English constitution consisted in the depopulation of whole counties, for the purposes of the King's royal diversion; and subjecting both them, and all the ancient forests of the kingdom, to the unreasonable severities of forest laws imported from the Continent, whereby the slaughter of a beast was made almost as penal as the death of a man. From a similar principle to which, though the forest laws are now mitigated, and by degrees grown entirely obsolete, yet from this root has sprung a bastard slip, known by the name of the game law, now arrived to and wantoning in its highest vigour; both founded upon the same unreasonable notions of permanent property in wild creatures; and both productive of the same tyranny to the commons; but with this difference, that the forest laws established only one mighty hunter throughout the land, while the game laws have raised a little Nimrod in every manor."

That was the language of Sir Wm. Blackstone. It was the unfounded notion that property would be created in wild animals that had puzzled the Legislature so much on this subject. It was notorious, before the Act was passed allowing the sale of game, that it could be almost openly purchased; and even now, when the law stated that pheasants should not be killed before the 1st of October, they were to be seen on the table of any feast in the city of London on the 29th of September. So much for the respect shown to the law! No one could doubt what had been stated by the hon. Member for Manchester, as to the want of confidence which existed in the administration of those laws by the magistrates. ["Oh, oh!"] He had been told so himself by an eminent magistrate. ["Name!"] He had no objection to do so. He alluded to the late Mr. Canning, of Gloucestershire, who told him that he never sat on a game case, for he felt that he never could do justice in such a case. Far be it from him to charge the magistrates of England with corruption; but it was a matter of the greatest consequence that the magistrates should be placed in a position above suspicion, and that they should not have the administration of a law in which they were likely to feel so deeply interested. Those laws also seriously interfered with the comforts of the working classes; for footpaths were constantly being closed up, because it was supposed that the persons using them might interfere with the game. It was notorious also that a man or boy who had committed any offence against the game laws, became a marked character. He knew cases of boys, who had committed some poaching offences, who never afterwards could get employment, and were then obliged to turn poachers or steal. One case occurred at Woodbridge, in Suffolk, where a boy was charged in court with stealing, and on being acquitted, attempts were made to get him employment; but the farmers said that they would not employ him, for they had been cautioned not to do so, as he had been guilty of destroying pheasants' eggs. He was sorry country gentlemen had not higher pursuits than shooting game; but instead of improving the agriculture of the country, they were occupied in the preservation of game. Instead of gentlemen keeping gamekeepers, he should like to see them keeping schoolmasters. He had been told that the adoption of this measure would lead to increasing the severity of the law of trespass; he denied that this would be the case, for all difficulties might be easily obviated. But this was nothing to the hon. Member for Manchester, whose object was to get rid of the game laws. There was one mode they might adopt regarding trespassers. Say that a trespasser were warned off the ground, and that he refused to go—that might be considered a fair case for the infliction of a summary conviction and punishment. And if a trespasser carried a gun, and refused to go off after being warned, and resisted the attempt to put him off, it might be fairly treated as a case of aggravated assault. But, in fact, the inducements to trespass would be greatly lessened by the passing of the Bill which the hon. Member for Manchester proposed to introduce, for its tendency would be to lessen the quantity of game in the country, which was the great inducement to those trespassers.

Mr. NEWDEGATE opposed the introduction of the Bill. He thought the country had little cause to thank the hon. Member for Manchester for his speech; for he had described the country as a complete Aceldama, and the people as a set of Ghouls.

Sir HARRY VERNEY thought that the only real benefit that the House could confer upon the agriculturists would be the doing away with the game laws; for they incited the people to more crime than anything else in the country. The game laws filled the gaols, and poaching was the first thing that made the farming assistant a criminal. No measure could be of greater importance than their repeal; and he should support the Bill of the hon. Member for Manchester for that purpose.

Mr. GEORGE THOMPSON moved the adjournment of the debate.

The House divided:—Ayes 82; Noes 87: Majority 5.

List of the Noes.

Adair, H. E.
Alcock, T.
Armstrong, Sir A.
Bellew, R. M.
Bowring, Dr.
Boyle, hon. Col.
Bright, J.
Broadley, H.
Brockman, E. D.
Bunbury, E. H.
Cayley, E. S.
Clay, J.
Cobden, R.
Cowan, C.
Crawford, W. S.
Davies, D. A. S.
Devereux, J. T.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Ebrington, Visct.
Evans, Sir De L.
Ewart, W.
Fagan, W.
Fergus, J.
Ferguson, Sir R. A.
Fordyce, A. D.
Fox, W. J.
Gardner, R.
Greene, J.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hayter, W. G.
Henry A.
Heywood, J.
Hume, J.
Hutt, W.
Keppel, hon. G. T.
Kershaw, J.
King, hon. P. J. L.
Littleton, hon. E. R.
Mitchell, T. A.
Molesworth, Sir W.
Morris, D.
Mowatt, F.
Osborne, R.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Capt.
Perfect, R.

Pilkington, J.
Pinney, W.
Power, N.
Pusey, P.
Raphael, A.
Ricardo, O.
Robartes, T. J. A.
Roche, E. B.
Rutherfurd, A.
Salwey, Col.
Scholefield, W.
Seymour, Sir H.
Seymour, Lord
Shelburne, Earl of
Somerville, rt. hon. Sir W.
Stanley, hon. E. J.
Stanton, W. H.
Strickland, Sir G.
Stuart, Lord D.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tufnell, H.
Verney, Sir H.
Villiers, hon. C.
Walmsley, Sir J
Williams, J.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.

TELLERS.
Wakley, T.
Thompson, G.

List of the AYES.

Acland, Sir T. D.
Alexander, N.
Archdall, Capt. M.
Bagge, W.
Baring, H. B.
Bennet, P.
Bentinck, Lord G.
Bowles, Adm.
Bramston, T. W.
Bruce, C. L. C.
Buck, L. W.
Burghley, Lord
Burroughes, H. N.
Campbell, hon. W. F.
Cavendish, hon. G. H.
Chaplin, W. J.
Chichester, Lord J. L.
Christy, S.
Clerk, rt. hon. Sir G.
Cochrane, A. D. R. W.
Coles, H. B.
Compton, H. C.
Curteis, H. M.
Dod, J. W.
Dundas, G.
Dunne, F. P.
Edwards, H.
Elliot, hon. J. E.
Farrer, J.
Fellowes, E.
Floyer, J.
Fortescue, hon. J. W.
Fuller, A. E.
Grace, O. D. J.
Grey, R. W.
Grogan, E.
Gwyn, H.
Hale, R. B.
Halford, Sir H.
Hallyburton, Lord J. F.
Harris, hon. Capt.
Henley, J. W.
Hildyard, T. B. T.
Hood, Sir A.
Hope, Sir J.
Hotham, Lord
Hudson, G.
Jones, Sir W.
Lascelles, hon. E.
Lindsay, hon. Col.
Macnamara, Major
M'Naughten, Sir E.
Maitland, T.
Masterman, J.
Meux, Sir H.
Mulgrave, Earl of
Napier, J.
Neeld, J.
Newdegate, C. N.
Nugent, Sir P.
Ossulston, Lord
Packe, C. W.
Paget, Lord A.
Paget, Lord G.
Pigott, F.
Plowden, W. H. C.
Powell, Col.
Pugh, D.
Rendlesham, Lord
Sandars, G.
Seymer, H. K.
Sibthorp, Col.
Smith, M. T.
Smyth, J. G.
Spooner, R.
Stafford, A.
Sturt, H. G.
Taylor, T. E.
Tenison, E. K.
Thompson, Ald.
Tollemache, J.
Townshend, Capt.
Walter, J.
Watkins, Col. L.
Wawn, J. T.
West, F. R.
Wyvill, M.

TELLERS.
Mackenzie, W. F.
Palmer, R.

On the question being again put,

DR. BOWRING called attention to the result of the division, and remarked, that when so many hon. Gentlemen were desirous for an adjournment of the debate, he thought it would be a very unusual thing to decline to accede to their wishes. He, therefore, begged to move that the House do adjourn.

Motion carried.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Friday, March 24, 1848.

MINUTES.] *Took the Oaths.*—The Lord Carleton.

PUBLIC BILLS.—2ª Criminal Law Administration Amendment.

Reported—Queen's Prison.

3ª and passed;—Audit of Railway Accounts.

PETITIONS PRESENTED. From Ipswich and several other Places, against the Admission of Jews into Parliament.—From several Members of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.

CRIMINAL LAW ADMINISTRATION AMENDMENT BILL.

LORD CAMPBELL moved the Second Reading of the Criminal Law Administration Bill, the object of which was to establish a Court of Appeal in criminal cases. A great part of the criminal law in this country was administered at the quarter sessions, and it sometimes happened that very difficult questions of law arose there. When such cases arose, the practice was to lay them, through the instrumentality of the clerk, before the Home Secretary, who called in the Attorney General to advise with him; and it occasionally happened that the question submitted to them was disposed of in a manner that was not at all satisfactory. Even where the cases came before the Judges of Assize, very great inconvenience arose from there being no competent tribunal of appeal. The practice was, that when a point arose before a Judge, on which he did not wish to decide, he reserved it for the opinion of his brethren in Westminster Hall. In the meantime there was a verdict of guilty, and sentence was pronounced; and at the beginning of the ensuing term the Judge stated the case for the opinion of the other Judges. This was not a tribunal sanctioned by the law. The case, when submitted to them, was not regularly argued, and they did not publicly give any judgment upon it; no reason was assigned for the decision to which they came, and if they decided in favour of the party, the only course was that a pardon was granted as if the party had been really guilty of a crime. That was a very defective state of the law, and the object of this Bill was to establish a Court of Appeal for disposing of all points of law which were raised in the administration of criminal justice. When the point arose at quarter sessions, the question was first to be referred to the Judge of Assize, and if he found any difficulty in deciding it, he was to submit it to the Court of Appeal in Westminster Hall. In respect to all cases arising in the first instance before Judges of Assize and in criminal courts, they would be brought before this Court of Appeal, where they would be regularly heard and discussed, and public judgment pronounced upon them. In case the decision of the Judges was in favour of the prisoner, then the judgment would be vacated, and he would be released from all imputation upon his character. Some persons might think the Bill should have gone further, and that it should establish the right to move for a new trial on the facts in all criminal cases, according to the analogy prevailing in civil cases. Though he hoped he had not shown any want of courage in proposing reforms of the law, still he was not prepared to propose to their Lordships that such a system should be established. He was not advised, nor had he heard of any machinery by which that system could be established with advantage to the country. There had been a great deal of exaggeration with regard to the necessity of such a proceeding, although he admitted it would be desirable if it could be done. In civil cases it would be indifferent to the public what delay might arise; but in criminal cases it was necessary that punishment should follow as speedily as possible. Now, one mischief which was likely to arise from the institution of this right of appeal was, that it might enable the rich delinquent so to delay the proceedings as to exhaust the public indignation at his offence by mere lapse of time. This, however, might be provided against; and what he therefore proposed was that the Bill should be now read a second time, and then be referred to a Select Committee, on which he should be glad if even all their Lordships would serve; for his wish was that every kind of information bearing on the subject should be obtained. If it should be thought that a right of appeal on the merits should be given as well as on questions of law, and if such a scheme should be considered practicable, he would be glad to render all the assistance in his power to effect that object. At present he contented himself with confining the appeal to questions of law only.

Bill read 2ª.

To be referred to a Select Committee.

House adjourned.

HOUSE OF COMMONS,

Friday, March 24, 1848.

MINUTES.] PUBLIC BILLS.—2º Property Tax; Stamp Duties Assimilation; Game Certificates for Killing Hares (Scotland).

PETITIONS PRESENTED.—By Sir T. Acland, from Commartin (Devon), complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Gibson Craig, from several Charitable Institutions in Edinburgh, and by Mr. John Vivian, from the Governors of the Swansea Infirmary, for Exemption of Charitable Bequests from the Legacy Duties.—By Sir Benjamin Hall, from several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for an Extension of the Benefit Societies Act.—From Members of several Lodges of the Ancient Order of Druids, for Sanitary Regulations.—By Mr. Sotheron, from the Surrey Iron Railway Company, praying for Leave to attend a Trial and produce certain Documents relating to that Company.

MURDER OF A GAMEKEEPER.

MR. BRIGHT rose for the purpose of putting a question to the right hon. Baronet the Home Secretary, and he did so with great reluctance, as the question was one which he felt must be productive of pain to the right hon. Gentleman. Two men were at present under sentence of death, in the county gaol of Durham, for a murder committed on a gamekeeper of the Duke of Cleveland. He perceived by the public papers that a respite had been sent down from the Home Office for one of these unhappy individuals; and he understood also that the town-council of Durham, and also the jury before whom the case was tried, had forwarded a memorial to the Home Office for respite or commutation of punishment in the case of both the prisoners. When the subject of the abolition of the punishment of death had been recently before the House, a feeling seemed to prevail in favour of the system existing in France of giving in verdicts under extenuating circumstances, the custom being, under such verdicts, never to enforce the extreme penalty of the law. Now, he did not mean that the case of these men differed in point of guilt from many others in which the extreme penalty of the law was enforced; but what he thought was, that a circular which had been signed by the jury was to be regarded in the light of a recommendation to mercy, and that it ought to be treated as such. The question which he wished to ask the right hon. Baronet was, whether he had any objection to state if such a memorial from the jury had been received by him; and also whether he had any objection to place a copy of it on the table? He asked the question, because he had received communications on the subject from many persons in Durham, whose views were well worthy of attention, and also because he believed that a very strong feeling existed in that part of the country with respect to the present state of the law.

Sir GEORGE GREY said, that no matter how proper the hon. Gentleman's motives might have been in bringing forward such a subject, he could not help expressing in the strongest terms his deep regret that questions of the kind should be asked in that House on matters the whole circumstances connected with which it was quite impossible could be fully laid before the House. He had doubts whether such a course of proceeding did not tend very much to impede the Executive in the proper discharge of the painful duty which devolved upon them. With regard to the present case, in which the sentence had been finally signed, he could only say that it had received the most careful consideration from him; and, painful as the decision to which he had been forced was, he did not feel himself at liberty to shrink from it by the anticipation of any comments that might be made upon his acts in that House or elsewhere. He would only say, that the verdict of the jury had not been accompanied by any recommendation to mercy. He had subsequently, however, received from the neighbourhood many applications for a commutation of sentence, and among others a memorial to that effect, signed by the jury by whom the case had been heard. He did not feel it to be advisable to lay that memorial before the House, as, if he did so, it would be necessary to accompany it with all the counter statements and communications which he had felt it his duty to call for in order to enable him to come to a decision on the subject. He thought that such a mode of proceeding would be subversive of the constitutional practice followed in such cases.

EMIGRATION TO CANADA.

Mr. HAWES said, in answer to Mr. Reynolds, the House was no doubt aware of the distressing circumstances connected with the emigration to Canada last year. The character of that emigration would be perceived from the one fact that out of about 90,000 emigrants who went to Canada last year, no less than 15,000 died on board the vessels, or immediately after their landing. Under these circumstances, it was not to be wondered at that many applications had been made, on the part of the colonists, to be protected from a recurrence of such disasters. His noble Friend (Earl Grey) felt it to be his duty to make various suggestions, which were submitted to the House of Assembly in Canada, as well as to the other North American colonies, and adopted by them. Under the regulations thus come to, different rates of taxes on emigrants were to be adopted. In cases where the emigrants were landed in a perfectly healthy state, no alteration was to be made in the whole charge of one dollar for each emigrant. If the vessel went into quarantine, that charge was to be doubled, and if the quarantine was of long continuance the tax might be still farther increased; but in no case was it to exceed 20*s.* for each person. The tax would also be doubled in the case of very aged or helpless emigrants, and also in case of arrivals after the 20th of October. The great object of these precautions was to compel those who had the charge of sending out numbers of emigrants from these countries to take the necessary precautions for preventing a recurrence of the dreadful scenes of last year.

SUPPLY—BUSINESS OF THE HOUSE.

Lord JOHN RUSSELL, in rising to move the Order of the Day for going into Committee of Supply, explained the course he meant to adopt in forwarding the Bills before the House, and then continued: But I wish to make a statement with regard to the general business of the House, so far as legislation is concerned at this time: first, because it is a comparatively early period of the Session; and in the next place, because I have every reason to thank the House for the attention it has given to the business brought before it by the Government; for I do not know an instance when the Government wished to press business forward in which the House has not been disposed to assist them. What I say, therefore, will be said without making the slightest complaint either against the House or against individual Members. My noble Friend the Member for Bath (Lord Duncan) has given to-night an instance of his wish to accommodate the business of the Government by not bringing forward his Motion with regard to the expenditure and management of the Woods and Forests; and I own I should be glad if the hon. Gentleman who has given notice of a Motion with regard to the slave trade (Mr. H. Baillie) would follow the same course which has been taken by the noble Lord and by the hon. Member for Montrose with regard to the resolutions he intends to move. My noble Friend the Member for Lynn (Lord G. Bentinck) has stated that the Committee upon the case of the sugar planters is about to enter upon distinct deliberation, and to make a report in a few days; and I think that, under these circumstances, the Motion of the hon. Gentleman (Mr. Baillie) should not be brought forward until after their report has been received. There are other reasons why the House, if it wishes that matters of legislation should be deliberately considered at a time when there is a full attendance of Members, should not interpose with abstract questions upon days devoted, by the practice of the House, to the business of the Government. I beg to submit to the House that there have been in the course of the last thirty years very great changes in the mode of conducting the business of the House, either of Government or of individual Members. I remember when I first entered Parliament, it was not usual for Government to undertake generally all subjects of legislation. The Government, at that time, generally confined itself to those measures which properly belong to the Administration, or to any particular subject which seemed to them to require immediate attention. At the same time there were at that period Motions generally made that the Orders of the Day, though Notices had precedence, should come in on any day of the week; therefore the business of the Government proceeded at a more rapid pace than it now does. Two great changes have since taken place, and it may be that both of them have been changes for the better; but they are certainly somewhat inconsistent and incompatible with each other. The one is, that for many years, that is, since the passing of the Reform Bill, it has been thought convenient on every subject on which an alteration in the law is required, that the Government should undertake the responsibility of proposing it to Parliament; and the other great change is, that measures of all kinds are now discussed by a greater number of Members, and a far greater number of Motions are made by individual Members than was formerly the case. The consequence of these changes has been, that, though subjects of legislation of very great importance are brought into this House, it is found impossible by any Government—the preceding as well as the present—to bring them on at a time when they can receive fair deliberation; and, therefore, they are frequently put off till quite the end of the Session, when there is a very inadequate attendance. I know it has been often said, though said without much reflection, that there are important measures which have not, though they ought to have been, pressed forward. If the House will consider what is the nature of its own orders, they will see how impossible it is for any Government to press forward measures which should take time for consideration. There are two days, and only two days, in the week, allotted to Government business. That generally gives, considering adjournments and other circumstances, only eight days in the month; and when about four months of the Session have elapsed, it is frequently said that nothing whatever has been done. But out of those four months it will be found there are only thirty days, and no more, in which the Government business can take precedence. Now, I am not making any complaint of this, nor am I asking for any additional number of days. I only wish the House to consider, if they think it necessary that Bills should be brought forward, and pressed more than they are now; and if they are satisfied with the present mode of conducting the business, that, at least, they should reflect it will be important to press them forward for the general purposes of legislation at an early period of the Session. In the present year there are many important questions yet to come under consideration. The income-tax will expire in April next, the Mutiny Bill must be renewed, and the estimates must be voted; but the two questions alone—supply and the income-tax—will probably take up about two months of the days which the Government have at their disposal. The only practical consequence I wish to draw from what I have stated at present is, that upon this, a Government night, the hon. Gentleman being requested should not press his Motion, but allow us to proceed with the Government business. I hope hon. Gentlemen will turn the question in their minds; and perhaps some proposition may be made hereafter which will suit the convenience of the House, and meet with general consent. The noble Lord concluded by moving the Order of the Day for going into Committee of Supply.

SLAVE TRADE.

MR. BAILLIE regretted that he could not assent to the wish of the noble Lord, because the Motion he intended to propose had reference to a most wasteful expenditure of public money, which, in his opinion, ought to be considered before any further supplies were granted. The time had arrived when it was necessary to dispel the delusion that had prevailed with regard to the slave trade. When the naked truth should be revealed, it would become apparent, that all the blood and treasure which for so many years past had been expended for the purpose of suppressing the slave trade had been poured forth in vain—that all our efforts had not only failed in attaining the object this country had in view, but had actually increased the slave trade, and added tenfold to its cruelties and horrors. If those facts could be clearly and distinctly proved, then it would be most criminal to persevere in a course that was attended with such melancholy and fatal results. The most competent naval authorities had repeatedly declared that the whole Navy of England would not be sufficient to maintain an effective blockade upon a coast of 6,000 miles in extent. In 1845 the House had been informed that new and important measures were about to be adopted, from which the Government anticipated the most successful results. But at the very time that communication had been made, the Government had actually surrendered to the Government of France those treaties for the mutual right of search, by which alone the utility of our squadron could be tested, and by which alone the object could be effected for which those treaties had been made. At the time of the late Government coming into office, they had found difficult and delicate questions pending both with France and the United States; questions that were calculated to interrupt our friendly relations with both those Powers. Amongst these was the question of mutual right of search, concerning which both the people of France and of the United States were peculiarly sensitive. It was true the late Government had settled those questions, and peace had been preserved. But how? By giving up the main point at issue. It might have been wise to take that course; but the point of mutual right of search was, at all events, wholly given up, and it was not just that the people of England shold be held responsible for maintaining, at a vast expense, a squadron on the coast of Africa, after that squadron had been deprived of those powers by the exercise of which alone it could effect the object for which it was afloat. The measure of Her Majesty's Ministers, as he should be prepared to prove, had, to a great extent, augmented the slave trade; and Sir Fowell Buxton remarked, that not only had our efforts to put it down cost fifteen millions, but that the numbers exported had increased, while the loss of life had risen to 25 per cent. Ten years had elapsed since Sir Fowell Buxton's celebrated work was published, and in the interval the annual expenditure had increased from 1,000,000*l.* to 1,200,000*l.* He (Mr. Baillie) estimated the aggregate expenditure by this country in its efforts to suppress the slave trade, as follows:—

Expenditure from 1808 to 1847 ...	£29,752,271
Bounties upon captured negroes, civil establishments, &c.	153,434
Compensation for emancipation ...	20,000,000
Making a total of	£49,905,705

To this sum there must be added the extra price which the people of this country had been compelled to pay for sugar and rum in consequence of the Emancipation Act of 1835. On sugar he estimated the difference at 10*s.* per cwt., which on 46,810,994 cwt., imported from 1835 to 1845 inclusive, would amount to 23,137,122*l.* The enhanced price of molasses and rum within the same period he reckoned at one-third that of sugar, or 7,712,371*l.*; and for the half of the year 1846, he took it at 1,631,832*l.* Therefore, the sum thus paid by the public in increased prices was 32,481,325*l.*, which added to the direct cost of 49,905,705*l.*, made an aggregate which this country had had to pay for an experiment which had entirely failed, of 82,387,030*l.* This statement, founded on facts, he conceived, was an ample justification on his part for interfering with the Committee of Supply. As regarded the rate of mortality in slave vessels, Sir Fowell Buxton had estimated it at 25 per cent; but according to the authorities at Sierra Leone it averaged 33 per cent, whilst the slave merchants at Havannah calculated it at 33 1–3 per cent. Previous to 1807, when the trade was free, the mortality was only $8\frac{3}{4}$ per cent. Could the House, he would ask, persist in pursuing a system which had produced such deplorable results in deference to a misguided and mistaken philanthropy? He would now come to the great impulse which had been given to the slave trade since 1846, in consequence of the measures of Her Majesty's Government in reducing the duties on the produce of Cuba and Brazil. But he would first enable the House to form an opinion as to the possibility under any circumstances of putting down the slave trade, by giving it some idea of the enormous profits obtained by those who carried on that traffic. [The hon. Gentleman read an extract from a Sierra Leone newspaper, of November 10, 1846, which detailed the capture of a brigantine of only 74 tons burthen, having on board 547 slaves, all stowed away in the smallest possible space, and in the most wretched condition conceivable, and stated that the captain of this vessel was to receive 30 dollars a head as freight for the negroes; and allowing that the average of one-third of the cargo perished on the passage, if he succeeded in evading the cruisers, his freight would amount to no less than 4,637*l.* 10*s.* 6*d.* on a twenty-six days' passage. And the importer of this cargo of human beings would only have to pay at the rate of 4*l.* per head for the negroes at the place of shipment, while the average price a slave fetched in the Brazilian market was 50*l.*, which, making every reasonable deduction for the other expenses, in addition to freight, left a profit of 200 per cent to the slave merchant.] This statement fully corroborated the calculations and assertions on this subject of Sir F. Buxton, who said it was an axiom at the Custom-house, that no illicit traffic yielding a profit exceeding 30 per cent could be suppressed; and he could prove that the slave trade yielded five times that amount of profit. He had in his hand an official despatch from Havannah, stating that a slaver called the *Venus* had brought a cargo of 1,000 negroes there, by which the speculator in human flesh would realise a clear return of from 100,000 to 200,000 dollars. The despatch concluded with these words:—

> "Would any man who knows the state of Cuba pretend that this is not enough to shut the mouth of the informer, arrest the arm of the police, blind the eyes of the magistrates, and open the doors of the prison?"

And the evidence of Don José Cliffe, which was presented to the House only the other day, went to show that the profits accruing upon the slave trade far exceeded those derivable from any other species of traffic. The House would now be able to judge of the insurmountable nature of the difficulty they had to contend with in their efforts to extinguish the slave trade, by reason of these huge profits, which were such irresistible lures to the grasping sordidness of the slave merchant. All the accounts lately received from Africa attested the fact of the immense impulse given to the slave trade by the recent measures of Her Majesty's Government. Mr. Oldfield, the medical officer, and one of the survivors of Laird's unfortunate Niger exploring expedition, was, perhaps, a better authority on this point than any other person living. In a letter, dated December 3, 1847, he stated that it was quite obvious that the present measures adopted for the suppression of the slave trade were totally inefficient, and utterly abortive; and that though during the past year there had been an unusual number of captures, yet the number of slavers that had evaded the cruisers was much larger. From March, 1843, to June, 1845, there were 45 Brazilian, 18 Spanish, and one Portuguese vessels condemned in the Courts of Mixed Commission at Sierra Leone, and 4,408 slaves emancipated; from January, 1845, to June, 1847, 36 vessels were condemned, all Brazilian property, and 4,118 slaves emancipated. Between the 6th and 15th August, no less than five full slavers were sent to Sierra Leone, having on board 1,421 slaves. He had a vast number of letters from emigration agents in Africa. One, dated Sierra Leone, May 13, 1847, stated that six Brazilian prizes had been brought in; that already 1,300 slaves were in the Queen's yard; and that Brazil had that year more than double her usual supply of slaves. Another, dated from the same place, July 3, 1847, stated, that "the slave trade was increasing beyond any year since its nominal abolition." But there was a letter from the Governor of Sierra Leone to Earl Grey, dated so late as October 1, 1847, in which he said, "This traffic is not only not diminished, but it is prosecuted, if possible, with more vigour than ever." One of our naval officers at Montevideo reported that it was increasing all along the coast of Brazil. It was a well-ascertained fact, that the profits on a successful trip paid for several failures; and so long as these enormous gains were made at comparatively little risk, it was a perfect farce to try to put down the slave trade with the present naval force on the coast. And this appeared to be the opinion of every individual who could be regarded as a competent authority on the subject. The country had been placed in a false position by the conduct of the Government. The people of England were bound to maintain, at a vast expense, a squadron upon the coast of Africa, not to put down the slave trade (for it had been proved that it was unable to accomplish that object), but to raise the price of slaves to the planters of Cuba and Brazil. By raising the price of slaves in those countries, we raised the price of their slave produce, of which the people of England were now the chief consumers; and thus the people of England were compelled to pay a large annual sum in order to raise the price of that sugar of which they were to become the purchasers. Was this the way in which the present Government intended to carry out the principles of free trade? The people of England were patient and of long suffering; but he was very much mistaken if they would long continue to endure so great an absurdity as this. He knew well what would be the appeal made to the House by the noble Lord who presided over the Foreign Affairs. He would ask, whether the people of England were prepared to retrace their steps after all the great and enormous sacrifices that had already been made? He would ask, whether they were prepared to recede from the engagements into which they had entered with foreign Powers, and to which they were bound by so many treaties; and whether they were prepared to display the immensity of their own folly to the world? He would answer that he was prepared to adopt that course, because he believed it to be conducive to the interests of humanity—conducive to the interests of the African negro—and last, not least, conducive to the interests of the suffering people of England. He would now proceed further to show the grounds upon which he stated that the course we had pursued had actually increased the slave trade. He was given to understand the way in which that trade was carried on was this—certain planters in Cuba required a supply of (say a thousand) slaves; they make an agreement with a slave merchant, who fits out his vessels, and writes his instructions to agents on the coast of Africa to ship from thence, not 1,000, but 3,000 slaves. He calculates that 1,000 will die upon the passage—that 1,000 may possibly be taken by cruisers upon the coast—and the remaining 1,000 will amply repay him for his adventure; and thus, when the market only requires the supply of 1,000 slaves, owing to our interference, 3,000 victims were sacrificed. It might, perhaps, be asked, what were the views now entertained by the anti-slavery party in the country? He confessed he scarcely knew whether such a party were now in existence; but he knew that the greater portion of those who formed that party supported the measures of the Government by which the slave trade had been augmented and increased. He was inclined to think that great apathy now existed throughout the country upon the subject. If, however, he was mistaken, and had misinterpreted the sentiments and feelings of the people; and if they were as decided now as they were fifteen years ago, to make any sacrifices in order to put down the slave trade, then he would say they had the power, and he would now proceed to state the way, and, as he believed, the only way, in which that great object could be accomplished. It was well known that the only two countries which carried on the slave trade with the coast of Africa to a great extent were Cuba and Brazil. With both these countries (that was, with Spain and Brazil) we had made solemn treaties for the suppression of the slave trade; by both, those treaties had been not only disregarded, but their violation had been openly and avowedly encouraged by their respective Governments; they had even gone so far as to give peculiar privileges to the slave vessels. Such conduct is, without doubt, an insult to this country; and how have we resented that insult? In a truly Christian spirit of returning good for evil, we had consented to receive all their slave produce into our markets. This might be acting in a Christian spirit, but it was not the way to put down the slave trade. If that object was ever to be attained, it must be by an exhibition of force and determination on the part of this country. The fleet must be removed from the coast of Africa, and sent to blockade all the ports both of Cuba and Brazil, and the Governments of those countries must be informed that none of their produce will be allowed to come to Europe until their engagements are faithfully maintained with us—until good and sufficient guarantees are afforded that the slave trade is effectually suppressed. There would be no more difficulty in putting down the slave trade in the island of Cuba than there was difficulty in the island of Jamaica if the Government really was sincere: it was the will and not the power that was wanting. If, however, the Government of England was not prepared to adopt this course, if they were afraid of the consequences that might ensue, let that not be an excuse for continuing a system which was only a lamentable exhibition of weakness and of folly. There might perhaps be some who thought that the course which he proposed would, by rendering the labour in Cuba and Brazil cheap, prove injurious to our own colonies. Let them set their minds at ease in that respect: our own colonies were already utterly ruined, and beyond the reach of any further injury, even from the malice of the Colonial Office. He was well aware that those who professed ultra free-trade opinions, thought that our West India colonies were a useless incumbrance to us—that we ought to buy our colonial produce in the cheapest markets—and that it was quite immaterial to the people of this country whether they bought sugar from Cuba and Brazil, or from Jamaica and Demerara. The hon. Member for the West Riding of York carried his opinions still further: according to him our naval and military establishments were useless incumbrances, and we had only to carry out free-trade principles to their legitimate extent, in order to bind together the whole human race in one common bond of brotherhood, and that political as well as national animosities would then cease to exist. When that hon. Gentleman became the Prime Minister of this country—which many of his admirers thought him destined to be—he would doubtless choose for Secretary for Foreign Affairs the hon. and learned Doctor the Member for Bolton, who was president of the Peace Association, whose principle it was that war, under no circumstances, could be justifiable, and that henceforth all wars were to be avoided, either by timely submission or a reference to the arbitration of foreign Courts. When England was blest by two such Ministers, we might doubtless expect to see realised these dreams of a golden age about which the ancients had written, but of which it seemed that we, more fortunate, were destined to witness the results. For his own part, though not a supporter of the noble Lord opposite, still he preferred by far the sad realities of his Administration to the flattering promises of those two hon. Gentlemen. He was not surprised, however, that those who enunciated these opinions should become the leaders of the people, for the people were the same in all ages; and whether it were the adoration of a serpent or calf—whether it were the religion of Johanna Southcote or of Joe Smith—political like religious enthusiasts would have their day; and if there was one thing more certain than another which we learnt from history, it was this—that it was in vain to struggle with, or to attempt to cure, the follies and absurdities of mankind. The same West Riding of York which now returned as its representative to Parliament the champion of free trade, in the year 1831 returned Mr. Brougham as the champion of that anti-slavery party whose policy it had been shown had cost this country upwards of eighty-two millions, and had ended in being a total, an acknowledged, and an unredeemed failure. When this subject was brought under the notice of Parliament, in the year 1845, the Motion was met by the Government of the day with an assurance that new and important measures were about to be adopted, from which they anticipated the most successful results. Those measures, like all that had preceded them, had proved to be utterly abortive; and he did not entertain a doubt that the present Government would give similar assurances to the House. But he intreated hon. Gentlemen to reflect on the dreadful sacrifice of life by which these renewed experiments continued to be attended. He held in his hand a return given by the Admiralty, headed—

> "An estimate of the charge to the public for the ships of war of all classes employed for the suppression of the slave trade, and also of the number of men lost in that service."

The total charge for the squadron was 706,454*l.*; the number of deaths of officers and men, 259; and the number of men and officers invalided, 271; making a total loss to the service of 530 men—an amount equal to that which some of our most brilliant victories cost us. But if this sacrifice of our bravest officers and seamen did not deter them from a perseverance in their present course, he called upon the House of Commons as guardians of the public purse to reflect on the amount of money which the people of England were annually compelled to pay. By a return presented to Parliament, it appeared that the expense of maintaining the squadron for the year 1845 was 706,454*l.*; to this must be added the maintenance of all our establishments upon the coast of Africa, Sierra Leone, Fernando Po, Cape Coast Castle, and Ascension. Then the maintenance of captured negroes, bounty on captured negroes, mixed courts, vice-admiralty courts, slave-trade commissioners—all these expenses could not be estimated at less than from 300,000*l.* to 500,000*l.* a year, which, added to 706,454*l.*, as before stated, amounted to a sum of not less than 1,000,000*l.* or 1,200,000*l.* a year. This was equal to the whole amount of the window duty. He called upon all those who represented popular constituencies to aid and assist him in relieving the people of England from this unjust burden—to aid and assist him in dispelling that delusion which had so long been practised upon the people, and by means of which they had been made to pay so dearly the penalty of the weakness and the folly of their rulers. The hon. Gentleman concluded by moving—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that negotiations be entered into with Foreign Powers to relieve this country from the engagement under which it labours of maintaining a squadron upon the coast of Africa."

Mr. HUME said, that when, upon former occasions, he suggested the propriety and expediency of reducing our naval establishment on the African coast, he showed that we were not only spending money uselessly, but occasioning a great deal of misery. The plan on which we proceeded involved an expenditure of not less than a million a year, and, so far from doing any good, it produced much mischief. Of late this country acted, or seemed to act, upon some principle; but if the general tenor of our policy were examined, it would be found that, with reference to the slave trade, we very often acted upon contrary principles. He had seen within the last few weeks statements illustrative of the progress of estates cultivated by slave labour; those were estates on which 60,000 70,000, and 80,000 dollars had been expended, and the returns showed that the owners got back their money in about three or four years. Now those and a multitude of similar facts proved that the cultivation of sugar by means of slave labour was enormously profitable. What was our practice? We permitted the importation of slave-grown sugar, and we made war upon all who carried on the slave trade. What consistency was there in that? He would appeal to the noble Lord at the head of the Government, and he would ask him was it right that the noble Secretary for Foreign Affairs should be allowed to ride his hobby so unmercifully as to put the country to an expense of a million annually, doing great injury to the Navy, and outraging the feelings of humanity? Was it to be any longer endured that we should go on under the guise of humanity to practise nothing but the most grievous cruelty? It was perfectly well known that nothing could stop the smuggling of men into Brazil and Cuba, the profits being so enormous. A treaty had been signed with Belgium, calling on the Belgians to join with us in putting down the slave trade. Such a proceeding showed that unless the House should interfere, it was hopeless to put an end to the course of Government. This country ought not to be ashamed to proclaim to the world, that after a trial she had found that her schemes were not only not successful, but injurious. The noble Lord had had letters addressed to him from the Anti-Slavery Society, pointing out that every successive despatch from the coast of Africa proved that we were adding to the horrors of the odious trade. In 1845, 1846, and 1847, we had 26, 27, and 28 men-of-war, with 297 guns, and 3,000 men, exposed to that climate. The number of deaths was 500. Scarcely a man had been on the coast of Africa for three years who was not in a state of disease. The papers which had been laid before the House a few days ago showed that up to the latest period the trade had been increasing. So far from being checked, as the noble Lord had said, new life had been given to it by our encouragement in admitting the produce of these islands. He would therefore ask the noble Lord not to be satisfied with merely checking it and keeping it under some control, but to adopt means to put it down carefully and quietly. In the correspondence between the American Government and the noble Lord, it would be found that the British Minister was literally insulted, if it was possible for one diplomatic Minister to insult another. Lord Aberdeen was there insulted in the strongest manner, because he expressed an earnest desire to exert himself to procure the abolition of slavery throughout the world. Mr. Calhoun said—

> "You have no right to interfere with that which the United States think the best form of government. There are portions of the United States which disapprove of slavery as much as any other country; other portions are not willing to relinquish it; are we to allow you to interfere with those States with whom we do not ourselves interfere?"

Formerly we carried on the slave trade, and refused to put it down when some countries required England to do so. What would Great Britain have said if the United States, Spain, or France, had desired her to abolish slavery? Why should we now attempt to dragoon the whole world? He was convinced, from the correspondence, that if this country attempted to force Brazil to put down the slave trade, the United States would make common cause with her, and it would be a ground of war. He believed that the only course by which it was possible to put down the slave trade was to make free labour as cheap as slave labour. Furnish an adequate supply of labour to the colonies, and there could be no doubt that, with the enterprise, climate, and capital which the English colonists possessed, they would succeed in producing a cheaper article than was produced in the slave colonies. He asked hon. Members to read document No. 136, which had lately been laid on the table of the House, from which it appeared that it was extremely dangerous to carry coercive measures much further. He had taken a few extracts from the papers upstairs, all of which stated the great increase of the slave trade, and the impossibility of putting it down. Captain Wynne, from the Cape of Good Hope, stated that there was a prospect of an increase in the trade for the next month, and that the only part of Her Majesty's settlements free from it was Mozambique, and forty miles to the southward. Consul Hesketh wrote from Rio to Lord Palmerston that there was an increased traffic with slaves, both by steamers and slave vessels. Consul Porter, from Bahia, wrote that there was increased activity in the slave trade. From Rio the Consul wrote, in November, 1847, that Portuguese houses were fitting out vessels, knowing that the public authorities had an advantage in the trade. From Pernambuco, on the 30th of September, it was said that after a cessation of two years the slave trade had reappeared. Similar accounts were received from the Havannah and Sierra Leone. When the House was called on to vote money for public establishments, it was time to show in what way so large a sum as 12,000*l.* might be saved. On these grounds he seconded the Motion.

MR. G. THOMPSON rose and said, that he had not intended to have said anything on the question; but as it seemed that no Member of her Majesty's Government was inclined to rise and show cause why this inordinate expenditure of money, and this most awful sacrifice of human life, should be any longer continued, he would briefly state the reasons which induced him to give his vote most cordially in favour of the Motion brought forward by the hon. Member. He believed he should not be accused of any want of sympathy with those victims of that nefarious outrage upon the rights of man, and upon the divine law—the enslavement of the human race. But he did hold that it was not right that this country, so heavily burdened in other respects, should also bear the heavy and almost utterly useless burden of attempting to put down the African slave trade. The experiment had been tried since, he believed, the year 1808, and what had been the result? He would venture to say that the number of slaves that would have been imported into the colonies, if there had been no preventive squadron, would have been extremely small, compared with those that had been smuggled over the Atlantic, and there put up to auction. In his judgment (but he would not lay much stress upon that argument) it was not right to seek an object, professedly humane and holy, by such cruel means as those to which we had resorted in our attempts to put down the slave trade. He granted that we had every motive, religious as well as humane, to make our own soil in every part of the world sacred to freedom—to give the largest practicable amount of liberty to those who lived under our government. It was equally our duty to make at all times a consistent protest against the enslavement of the human race; but he denied that it devolved upon us as a duty to have recourse to arms and cruisers, and an expensive preventive service, for the purpose of pursuing that object of pure humanity. The attempt that had been made to effect that object had been a complete failure; he would not say that the attempt, however humane and praiseworthy, had, in fact, increased the horrors of that nefarious traffic to an incalculable degree. He had studied with the utmost attention for many years the statistics of this question, and he had endeavoured to ascertain the number of those who had fallen into the hands of the man-seller; and the result of his studies was that our efforts had proved completely abortive. But there was another reason which induced him to vote for the Motion of the hon. Member, and that was, that we had found nothing but uncertainty on the part of those other Governments and States that had professedly united with us to put down this traffic. The noble Lord at the head of Foreign Affairs would not, he thought, deny that scarcely in one instance in which treaties had been entered into between him and the representatives of other States, had the letter and spirit of those treaties been carried into effect. Scarcely one country besides our own had at any one time kept upon the coast of Africa the stipulated number of ships. The burden had fallen almost exclusively on us; and that burden, he conceived, had now become an intolerable one, for every motive which could be assigned for the expenditure of so large a portion of our money upon the coast of Africa applied with tenfold weight at the present time to the condition of our own fellow countrymen around us. There was still another reason which induced him to vote for the Motion of the hon. Gentleman opposite, and that was this—he thought he was tolerably well informed of, though he should not trouble the House with any statements or facts in reference to the matter with regard to the history of the colony of Sierra Leone, and of other settlements on the African coast, and of those adjacent thereto. Now he would undertake to say, and to the best of his ability to demonstrate, that this preventive service had been the fruitful source of innumerable frauds, under the name of humanity, from the year 1808. He would not add anything to what had been said in commendation of the gallantry of those who were in command of our ships on the coast of Africa. The conduct of our sailors, and others in that service, had been most praiseworthy; but he did contend that Sierra Leone, and the other settlements which we had established in Africa, had been the hotbeds of fraud and chicanery. Mercenary and self-seeking men availed themselves of the humanity and liberality of the people of this country to increase their own gains, and to profit illicitly by the very trade which we had gone to such expense of blood and treasure to put down. He had all possible confidence in the efficacy of free labour to put down slave labour; he had no confidence in any other expedient. If free labour could not put down slave labour, then it appeared to him that freedom was not the law of nature. But how had they dealt with the slavery of other countries? Had they not for a long series of years utterly excluded the resources of our vast Indian possessions from this country? Efforts were made by other countries to increase sugar cultivation in their colonies, and they gradually sprung into magnitude, wealth, and prosperity. And what was the fact now? Why, that whilst the comparatively barren colonial possessions of other countries were yearly yielding immense returns to their possessors, our rich and unlimited possessions, which, within a very few years, would, if cultivated, yield us 400,000 tons of sugar per annum, were lying comparatively waste. If they desired to put down slavery in Cuba or the Brazils, or any other country, they must adopt an enlightened and just system of encouraging free labour in our own vast possessions; and he would undertake to say, that if they did so, they would be quite able to compete with the labour of other countries, however fertile their soil might be. In the present depressed and impoverished condition of the trades and manufactures of this country, in the midst of the sufferings and complaints of the people at large, he could not consent any longer to this expenditure of money with the professed (and he believed sincere) object of putting down slavery; but as they saw that attempt had been altogether inefficacious, and had tended to increase rather than mitigate the sufferings of those for whom the expenditure was made, he joined with others in that House in expressing his deep abhorrence of the system of slavery; and his sincere hope was that other countries, like ourselves, might come to the conviction that the system was unjust and unholy in its character; but at the same time, he confessed he did not see how the duty of attempting to put down slavery in the world devolved solely upon this country, to the manifest desertion of the interests of our own vast colonial empire, an attention to which was the surest way of putting an end to the horrors of slavery. By employing free labour in our vast and fertile colonies in the growth of sugar, cotton, or coffee, we should demonstrate to the world what he believed was the conviction of all sound philosophic minds, that, all other things being equal, free labour was in every country in the world superior to every description of slave labour.

Lord H. VANE said, that it seemed to be the general desire that this discussion should not be pressed upon the present occasion; but, nevertheless, he would trouble the House with a few words upon the subject. It certainly seemed to him inopportune to ask the House to decide this question at once, before they had received the report of the Committee on this subject. One of the reasons urged by the hon. Gentleman in support of his Motion was, that as they were about to go into a vote of supply, he thought this was a fitting occasion in which to make such a Motion; but he (Lord H. Vane) thought that that was the very reason why the House should pause before it proceeded to discontinue a system which certainly involved an expenditure of money. The hon. Gentleman who had just sat down (Mr. G. Thompson) took a similar line of argument, and said, that in the present distressed state of the country, and considering the great depression, acknowledged on all sides, to exist in the manufacturing and commercial branches of society, the House ought not to agree to so large an expenditure of money for this purpose. Now it did appear to him that there was one consideration which the hon. Member had totally lost sight of, and that was, that it would be totally impossible for that House, by a vote of that night, and in such a time as the present, to recede at once from the engagements which this country had entered into with other countries. Before they could do so, lengthened negotiations must be entered into with those countries. And was this a time, when there was a Provisional Government in a neighbouring great country, to expect that such negotiations could be fairly entered into? At present he would say no more upon the subject, but he should certainly oppose the Motion.

Mr. URQUHART said, it was impossible to present to the House a graver or a simpler case—grave from the expenditure of money, life, and character—simple from the clear, conclusive, and unrefuted evidence of the utter failure of all the objects for which that expenditure had been incurred, and the aggravation of all the ills which it had been designed to relieve. The House, since it met, had been engaged in the fruitless contemplation of the misery of the people, greatly increased beyond the scale of former suffering, and in the industrious voting of supplies, surpassing even the limit of former expenditure. If ever then there was a period when economy and reduction were an obligation, it was the present. If ever there was a time when the House stood in need of redeeming its character with the nation from the charge of extravagance, it was the present; and the present Motion afforded the opportunity. The sums voted on former evenings had been so voted in obedience, right or wrong, to the conviction of a great majority of the House, of the existence of dangers abroad; but this vote had reference to a system standing by itself, which was not associated with any general purposes of policy, or a part of the doctrines professed either by the Administration in power, or the party out of office. It was in furtherance of a project adopted by both those parties and the country, in consequence of the arguments and the authority of certain individuals who vouched for this system, and who prognosticated certain consequences from the steps which, in obedience to their suggestions, had been taken. It was now a public notoriety that the system had proved a failure, and that the prognostications had been belied. Nor was this all. Those who, at the present time, represented the system, had confessed that failure to be as complete in respect to their object, as humiliating in respect to themselves. The hon. Member for Inverness-shire had quoted a passage from Sir F. Buxton, which had not failed to produce a deep impression on that House; but he regretted that his hon. Friend had not continued the quotation, and read the lines which followed, and which were to the effect—he could not charge his memory with the precise terms—that "had there been any reluctance on the part of the Government, any lukewarmness on the part of the nation—had the means placed at their disposal been less ample, or the period of time afforded for making the experiment less sufficient, there would have remained some consolation for past reverses, and some hope in future attempts; but all these having been employed, and having failed, it only remained to make the frank and unreserved confession of that failure." But it was not only failure which they had to deplore, but aggravation of the evils themselves; and yet in face of such a confession and such results, and after the enormous expenditure already incurred, they were still called upon to burden the people of this country with a million and a quarter yearly. Could such conduct be called policy? Was it not rather delusion? Was it not insanity? If at length they had recovered their senses, was not the fact of that change to be displayed in reversing the acts which in that unhappy condition they had committed? Why had their past conduct been insane? They had surrendered their reason to philanthropy—a good motive, but a dangerous guide; they had sought a desirable end, but by unhallowed means; they had set at nought justice and law—they had trampled upon the independence of foreign States—they had endeavoured to fix the name and character of piracy upon acts which the law of nations recognised, and under certain conditions sanctioned. They had scorned the warnings of the greatest of modern and judicial authorities, and, obedient to the dictates of philanthropy, but contemptuous of the dictates of law, they "had pressed forward to the attainment of a desirable end by means warranted neither by public honour or by private morality." Hence these lamentable results. England was to have been the leader of this great philanthropic question; she was to have been the soul and head of a great European league of benevolence and civilisation, for the good of humanity and to her own glory. She had made this the great aim and end of her diplomatic effort since the Peace; she had mooted it in private negotiation—she had persuaded by argument—she had seduced by bribes—she had forced by threats, other nations, into slave-trade treaties. The consequence had been to disgust the nations with this philanthropic cant, and to raise up real obstacles to the putting down of this infamous practice. Wherever she had on other grounds made herself the object of fear and detestation, she furnished inducements to withdraw from engagements so entered into, or to leave them unfulfilled. To violate them was an opportunity of injuring England. But while she aroused hatred, she presented acts calculated to awaken suspicion. Vehement to put down slavery, she had taken upon herself the task of preparing a vast province of the New World to pass from its union with the Mexican States to its incorporation with the United States, by sanctioning its transition from a free to a slaveholding State. The United States of Mexico did not acknowledge slavery—England took upon herself to recognise the independence of Texas on condition of the abrogation of that law, and thus open that country to the extension of slavery from the United States, and furnish the occasion and the inducements for its incorporation. What then could be inferred, save that England was dishonest in her professed purposes, and had an avowed object behind to serve? A petition from the West Indies urges this House, as one of three measures proposed to save the West Indian colonies from ruin—to increase restrictions on the slave trade, so that by raising the price of slaves they might be better able to struggle against the competition of Cuba and Brazil. What conclusions could be drawn save this—that our efforts to put down the traffic were dictated by a selfish regard to our own interest, under the assumed pretext of an insulting philanthropy? The noble Lord who had preceded him, had, he understood, before he entered the House, stated that there might be difficulties in the way of any change in consequence of engagements with foreign Powers. The proposed resolution was not that engagements should be broken, but that measures should be taken to release other countries from engagements which they had undertaken most unwillingly, solely at England's request; and which now there was every probability of being less satisfactory than they had been before. He therefore trusted that the House would, by its vote, free the country from this intolerable load of taxes, embarrassments, guilt, and disgrace, and put an end to a system which led to the employment of our forces on services which could only be termed buchaneering expeditions; which exposed officers on their return to this country to have to stand before the courts of law as defendants in actions brought against them by slavedealers for services undertaken in obedience to superior instructions—services of so anomalous a nature that when the law was taken in their own hands against them—by the men whom they had captured as pirates, they were acquitted by our judges. He returned his sincere thanks to his hon. Friend for his courage as well as his ability in bringing forward this question. It was, as all matters of high and public interest, distasteful to the House; and he implored the representatives of popular constituencies to consider whether a case like this did not interest them at least as much as those parochial discussions which were ever sure to engage their earnest solicitude. He entreated of them to consider whether the exposure of this night did not suffice to prove to them how dangerous it was for a great people to neglect any department of its affairs, for from this one they might judge of the remainder of that class which it had pleased them to designate and to treat as foreign. He would conclude with citing the words from the learned Judge from whom he had already quoted, who, so far back as 1816, declared from the bench, "That these diplomatic congresses and treaties by which they pretended to establish peace in Africa, must, if persevered in, render peace in Europe impossible."

CAPTAIN **PECHELL** would not have risen on the present occasion but for some expressions which had fallen from the hon. Gentleman who had just sat down, who had been pleased to term the efforts of the officers and men engaged on the coast of Africa for the suppression of the slave trade as buccaneering expeditions. He had thought that the hon. Gentleman, who was so fertile in language and argument, would have shown how those officers and seamen had conducted themselves to prove his assertion, that the object of that squadron had failed. But it appeared to him the hon. Gentleman had failed to establish his own position. The hon. Gentleman had not shown the points to which he attributed the failure of the experiment. The hon. Gentleman was fond of matters of diplomacy, and he thought he must have seen that the Treaty of 1845 had greatly contributed to lessen the power of our cruisers on the coast of Africa. In respect to that treaty he must say there had been a complete truckling to France. Let the hon. Gentleman bear in mind what our gallant seamen and officers suffered from the influence of a pestilential climate! But, instead of tendering his thanks to these men, the hon. Gentleman (he hoped he did not intend it as a sneer) spoke of them as persons engaged in buccaneering expeditions. He hoped the hon. Gentleman would on reflection see that these were expressions which were hurtful to the feelings of the officers and seamen who were employed in this service. He thought the Motion of the hon. Gentleman was inopportune, being calculated to excite the apprehension that this nation wished to back out of her engagements in respect to this squadron. For his own part, he believed it to be impossible for us to prevent the trade on the coast of Africa, without having a sufficient supply of ships.

MR. **HUTT** said, that as Chairman of the Select Committee to whom the whole subject of the slave trade had been referred, it might be expected that he should say a few words. It would be useless, however, for him to go over the whole of the ground which he had attempted to traverse a month ago. Between himself and the hon. Member for Inverness there was really no difference of opinion; and he must express his satisfaction that on a subject to which he had given so much attention, he should have the pleasure of being associated with so able an advocate. But the whole subject was now under the consideration of a Select Committee, and when the House considered the pains which were being taken by that Committee, and when they reflected how deeply the subject had enlisted the best feelings and sympathies of the people, he did not think they would deem it prudent to come to a premature decision on one branch of the question. He had heard nothing since he had last addressed the House which in the slightest degree altered his opinion; but, under the circumstances in which he and the House were placed, he felt it his duty to oppose the Motion of the hon. Gentleman.

MR. **MOWATT** had made up his mind to support the Motion. He thought the great experiment in which this nation had engaged was one worthy of its character; but after the clear statement made by the Mover of the address, which was uncontradicted by any Member of Her Majesty's Government, he saw no other conclusion to which he could come, but that the great experiment which had been made had wholly and totally failed. The very policy which led this country to allow the importation of foreign slave-grown sugar could not fail to give a great impetus to the slave trade. We were pursuing a course which involved increased expense to augment the price of the produce which was to be consumed in this country.

VISCOUNT **PALMERSTON**: I do not mean to dispute that this is a subject very well deserving the most attentive consideration of the House, and that it may very properly be brought before us at a time when a vote of supply is demanded; of course, I admit, that when the Government ask the House to vote money, it is competent for any hon. Member to propose means by which, in his opinion, expenditure may be saved. But, on the other hand, seeing that the whole of this subject was not long ago, and, after considerable debate, referred for examination to a Select Committee, I think the hon. Member (Mr. Baillie) has not exercised a sound discretion in bringing it again before the House on this occasion. If the hon. Member thinks he can prove the matters which he has asserted that he can, I would suggest to him that it would be a more fitting and appropriate course for him to have proved them before the Committee, than to assert that he could prove them in debate, when matters of detail cannot be treated with that sort of accuracy with which a Committee can sift them. Do not let it be understood, as the hon. Gentleman who has just sat down seems to suppose from my not having spoken earlier, that I acquiesce at all in the main assertions of my hon. Friend; I feel that it would be inconsistent with the objection I have stated for me to go into any minute reply to the hon. Gentleman. But I would really ask the House to bear in mind, that this is a matter arising, not out of any particular measures of the present or the late Government, but of a system of policy which all Administrations, from 1815 till now, have adopted at the earnest request and entreaty, not only of Parliament, but of a majority of the country; and that we are called upon to reverse that whole policy at once and hastily, by an Amendment to the proposal for going into Committee of Supply. I will not go into the argument that we ought to retrace our steps for the suppression of the slave trade, from motives of humanity; I think that is an argument which will not be pressed by any one who has much attended to the subject. But the ground that is taken is, that we have tried this system for thirty years, and that it is acknowledged to have failed. Now, I for one, do not admit that. We have not been trying this for thirty years, at least with means in any degree sufficient for the purpose. We are endeavouring to put down the slave trade by means of the right of search, by which alone a maritime police can be carried on; but, until 1839, we did not possess that right by treaties with other Powers, and the slave trade under the Spanish or Portuguese flags, south of the line, was carried on free from molestation. It is only from 1839 that you can say that the system has had in any degree a fair trial. It is said that it has not produced the effects expected or desired; but the statements of the hon. Member himself (Mr. Baillie) show that to a certain extent at least it has succeeded. He adverted to the great profits made in the slave trade; but they can only be made by the great excess of the value of a slave when sold in America over his value when purchased in Africa, and over the expense of transport; and it is manifest, when such a profit is made, that the supply must fall infinitely short of the demand. Then, it is as demonstrable as a proposition in Euclid, that if you took away those impediments which have narrowed the supply, the two prices would nearly equal each other; and the conclusion is, that the measures of prevention have lessened the number transported from Africa. That fact alone shows that this system has not utterly failed; that if it has not put down the slave trade, it has very materially diminished the number of negroes taken. But it is to be remembered also, that we, that is, the successive Governments of the country, have by negotiation persuaded many countries altogether to abandon the slave trade; that France and Holland no longer pursue it, and Portugal scarcely, and that the traffic is now carried on almost entirely by a colony of Spain and by the Brazils. If England had not made the efforts that she has to induce other countries to adopt her view of the criminality of this traffic, in all probability France and Holland, and all countries possessing colonies, would have carried it on to the utmost extent of cultivable land in those colonies; and, therefore, in this matter alsó, we have been instrumental in preventing a great deal of human suffering. People let the phrase pass from mouth to mouth without examination, that our measures for repressing this crime have greatly aggravated the horrors of the slave trade. I utterly disbelieve it. Why should they? If you tell me of the sufferings of the negroes in the "middle passage" now, I will venture to say I can point you to statements of suffering quite equal in former times. It is said that the slavetraders employ fast-sailing vessels; but the greater the value of the negro in America, the greater the inducement to land there alive as many as possible of the number embarked in Africa; and if our efforts for prevention have given an artificial value to the negro landed in America, we have given the slave-trader a greater interest in taking care to land all that he buys. If, therefore, the practice still prevails of stowing the ships with a greater number than can be landed in America, it arises, not from our measures of prevention, but from the blindness of avarice, which operated equally before we adopted our present system. Again, it is said that we are pursuing methods which render other countries hostile to us. Why, we can exercise no authority or power in this respect but what is conceded to us by the voluntary act of other countries engaging in treaties with us. It is quite true that many of the subjects of Portugal and Brazil concerned in this traffic are animated with feelings of resentment against England for having persuaded their Government to enter into such engagements with us; but that is the hostility of men desirous of committing a crime, towards persons employed in preventing them from committing it. However, I think this is not the proper time to go at large into this great question; the whole subject has been referred to a Committee now engaged in examining every branch of it; and I think the Motion is, in point of time, premature, and in point of form is urging the House to come to a conclusion without waiting for those elements for its decision which the labours and the report of the Committee will place before it.

MR. DISRAELI: The hon. Member for Gateshead thinks that there is some similarity between the speech with which a month ago he favoured the House, and that which has been made to-night by my hon. Friend the Member for Inverness. I had not the privilege of listening to the speech of the hon. Member for Gateshead; but I have respect for his talents—of which indeed I have many proofs—that I can easily believe that his speech was as clear and as able as that of my hon. Friend; and as both spoke upon the same subject, I have no doubt there would be some similarity. But I beg to say that there is a difference in the course which has been recommended by him and by the hon. Member for Inverness; for the hon. Member for Gateshead did not recommend the House to do anything, whereas the hon. Member for Inverness recommends the House to act decisively, and with effect. The noble Lord who has just sat down reminds us that on the Motion of the hon. Member for Gateshead the subject had been referred to a Select Committee. Sir, the House agreed to that course; but it agreed to no more than that the question should be referred. But I want the House for a moment to consider this—is the question of so much importance that they wish it to be settled? and if it is a question of so much importance, is the reference of it to a Select Committee exactly the process by which it will be settled? Night after night questions are referred to Select Committees. Two Select Committees have been appointed to-night to decide questions of importance which ought to have been decided, in my mind, by the debates of this House or in the Cabinet. Do you mean to carry out this system? I wish some hon. Member would move for a return of the number of Select Committees now sitting. It would be one of the most remarkable returns ever presented to this House. But if you go on referring subjects of legislation and of administration to Select Committees, there will soon not be a sufficient number of Members to sit upon them. I am at present a Member of a Select Committee of great importance—I regret every hour that I am absent from it—but this afternoon I have been put upon an Election Committee, and I can only account for this by the number of Select Committees which the Government have already been induced to accede to. The present, then, is a different Motion from that of the hon. Member for Gateshead, for it recommends to the House to take a decided and a practical step; and that is the chief if not the only reason why I shall support it. But the noble Lord tells us that though this system has been pursued for a long time, the little effect produced has resulted from its not having been till lately fairly tried. Now mark the reasoning of the noble Lord. I do not charge it against his Government, for I agree with him that the system has been pursued by several Governments. The noble Lord says that this system has not been fairly tried, for it was only in 1839 that the right of search, which the noble Lord represents as a necessary ingredient of the system, was conceded. We know that this right of search was obtained only in 1839; but we know, also, that six years afterwards you again renounced it. I think, therefore, we have a right to suppose that in the right of search there is something impracticable—something that, when its action is clearly developed, is found to be so much opposed to the reciprocal intercourse of nations, that the more the system is pursued, the more you are forced to renounce that which you acknowledge to be necessary to the system. Well, then, I take the case on the broad ground on which it has been placed by my hon. Friend. There is a great cry for economy, and an acknowledged difficulty with regard to the revenue of the country. Now we have shown to us a sum which may certainly be counted at a million per annum expended on a service of a questionable character, and which prevents to that extent a reduction in taxation, that you, the representatives of the people, night after night declare to be of the utmost importance to your constituents. Acknowledging, which I do not—admitting, which I am not prepared to do—that the system has been successful, still it is a question whether it is politic and expedient now to pursue it. It would be your duty, if it were successful, to calculate whether the interest and advantage of your constituents is not on the side of your terminating the system, and in expending the money in some way or other to the advantage of the people of this country. It is impossible, after what we have heard of the distresses of the country—it is impossible now, when the resources of the country are universally admitted to be in a state of embarrassment—it is impossible that a deaf ear should be turned by Members to a remonstrance which points to a principle of questionable policy, expending a sum which cannot amount to less than a million a year of the national resources, and adding to the expenditure of eighty millions which has already been wasted during the last thirty years in the same manner. But I ask the House if one statement made by my hon. Friend has been met? The noble Lord says, indeed, with regard to the increase of sufferings alleged by my hon. Friend, that he doubted—he denied—that there had been any increase of suffering. But the noble Lord did not deign to enter into details, or circumstances, or facts, to shake our faith in the lucid statements of my hon. Friend. I will put this point to the noble Lord. The possession of a certain number of water casks is made the test by your system of the ship being a slaver. What is the consequence? The consequence is that these ships do not take on board that number of water casks. The consequence is, that there is not a sufficient supply of water—that only once in two days the slaves get what is called a drink of water. That is the consequence of your treaties and your legislation; and yet you say that by them the sufferings of the slave have not been increased. This is evidence which was given a few days ago before your Committee, which is not a Secret Committee; and it is a clear proof that the sufferings of the slaves are greatly increased by this system. Well now, if, as regards the financial statements of my hon. Friend, and if as regards the increase of sufferings on the part of the slaves, his statements have not been doubted or disproved, I beg the House to recollect a third great question in this system—the national discontent which it has created, the misunderstandings between this country and others of which it has been the fruitful parent. We know very well—take one instance which occurs to me, and which must occur to every one—take the case of Brazil. Even now, in this day of unadulterated free imports, we hear hon. Gentlemen express their regret that we have not made a treaty with Brazil. It was only the other night that the noble Lord regretted the failure of these negotiations, attributing it to the pride of the Brazilians, who fancied theirs was the most important trade in the world. I have no hesitation in saying that if not the sole, at least one of the principal causes of the discomfiture of the negotiations with the Court of Rio for a commercial treaty, is our conduct with regard to the slave trade. That is a difficulty which meets us in every court and in every colony. And if we see that this system is a source of vast expenditure—if we see that it causes an increase in the sufferings of the slave population, for whom we have sacrificed and are still prepared to sacrifice so much—and if, in the third place, we see that this system is fruitful in national misconceptions, and is the cause of failure in the subject of our commercial negotiations, which are now so important—if we see these three great allegations sustained by facts—then I say this House will listen with attention and respect to any hon. Member who calls upon us to put an end to it. But when we remember that in addition to these three reasons an appeal has been made to us, on the ground that there is, at this moment, great national suffering and great financial embarrassment—night after night hon. Members are racking their brains to know how to find the ways and means — then, I say, every hon. Gentleman would incur great responsibilities if he did not attend to the representations which have been made by the hon. Member for Inverness, and if he did not give his vote in support of the hon. Member. That will add to the national credit, and prove to the people of this country that we are prepared to reduce the establishments, not in those departments which are necessary to the maintenance of its honour and power, but where, through a long series of years, we have attempted to realise ideas which were founded in ignorance of human nature and of the state of the world. For these reasons I shall support the Amendment of my hon. Friend.

VISCOUNT PALMERSTON explained that the right of search he referred to as necessary to a fair trial of the system was a right of searching vessels under the Spanish and Portuguese flags, and that that right had not been given up.

SIR T. D. ACLAND agreed with the hon. Member who had spoken last, though on different and higher grounds than he had taken, that they ought not to be regardless of the character of the country, which he thought they would be if they were now to abandon a system which had for its object the highest point of redeeming benevolence. He thought they would at least better maintain their credit by showing that if they were to change their policy they would not do it on light grounds — that they would not overturn in the debate of a single night the policy that they had steadily pursued for thirty years. The hon. Member who proposed the Amendment spoke of the health of the squadron, and pointed to the reports of 1845 and 1848, as if they were contradictory of each other. He certainly thought they required explanation; but that only showed the more the danger of acting precipitately. From the information he had received he had reason to believe that the last return was the more correct one. On the 7th of April last, Commodore Hotham wrote to inform the Lords of the Admiralty that the general health of the squadron was excellent—that the per centage of deaths, including the hospital, did not exceed $4\frac{3}{4}$ per cent, which would be considered a marvellous low average in any part of the world. This was altogether in the face of the report for 1845, which stated the loss of life in the squadron at 250, with a sickness of nearly equal amount. If this discrepancy existed with regard to figures, how much more likely was it to occur in questions which, after all, were matters of opinion. In the same despatch from which he had already quoted, Commodore Hotham said it was the general opinion of the best informed persons at Sierra Leone, that the slave trade in that neighbourhood had received a decided check, and that the natives were beginning to turn their attention to legitimate traffic, rather than engage in the precarions trade of slaving. In that sentence, he thought, was contained the whole philosophy of the question. He was satisfied that the system of a maritime police alone could not put an end to slavetrading. His opinion was, that by checking the traffic in slaves, they would give the legitimate traffic room to operate, and then the natives would learn that the labour of a man was more valuable than the sale of his person. And here he must warn hon. Gentlemen interested in the commerce of the West Indies, that there were other interests which could not go on without the protection of our Navy. The legitimate traffic with Africa had greatly increased within the last twenty years. The declared value of our exports to the west coast of Africa was, in 1826, 150,000*l.*, while a year or two ago it amounted to more than 500,000*l.* This legitimate commerce was still going on, and he had no doubt it would ultimately abolish the slave trade, but, in the meantime, it needed the protection of the Navy.

LORD J. RUSSELL: I wish to address a few observations to the House, not upon the general subject of the efficacy of the system adopted with respect to the slave trade, but with reference to the position of the question as it stands before us. I will, therefore, abstain from entering into any discussion as to whether we have thrown away a vast sum of money, and aggravated the horrors of the slave trade by our efforts to suppress it; but I venture to remind the House that according even to the statement of those Members who urge those considerations upon our attention, this course has now for more than thirty years, under different Administrations, been continued at a cost of 80,000,000*l.* Is it then reasonable, even supposing a *primâ facie* case to be established against the system, that at a time when a Committee is actually sitting to inquire into the facts of the case, and on a night devoted to the consideration of the Army Estimates, when no one supposed that such a question would be seriously discussed, we should be called upon to subvert the policy which has been pursued for thirty years; to render nugatory all the vast expenditure of treasure which has taken place; and to rush, without seeing our way, into a new system which we are to-night told will lead to happier results? That is the question with respect to which the House is really called upon to decide. The House has already decided on a course; upon the proposition of the hon. Member for Gateshead it has appointed a Select Committee to inquire into the subject. When that Committee shall have brought its labours to a conclusion, and its report, accompanied by the evidence, shall confirm the representations made by the hon. Member for Inverness, it will be time enough for the House to adopt the course which the hon. Member calls upon us now to pursue; or it may be that the House will see cause to modify the system, without altogether abandoning it. I am not prepared to admit that the abandonment of our system of maritime police on the coast of Africa might not have a prejudicial effect on the interests of this country. My hon. Friend who has just spoken has referred to the extension of our commerce with the coast of Africa. There can be no doubt that, as regards a large portion of the African coast, the slave trade has been superseded by legitimate commerce, and that year by year civilisation is extending itself amongst the inhabitants. But if it were advisable to alter your policy as regards the slave trade, surely it would not be advisable to take away the protection to legitimate commerce. The question is not simply whether you will continue the system in its present shape or abandon it altogether; for you may probably find, when the evidence of the Committee now sitting is laid before you, that there are various considerations and various courses of policy on which you will have to deliberate, and when it may be found that you will have to alter some parts of your policy, while there are other parts which you cannot consent to abandon. The hon. Member who introduced this subject, presuming that a case was made out, has referred to the question as one simply of economy; but let me again refer to what is really the fact, that we have this question under inquiry, and that the result of that inquiry may be to confirm the faith of those who now believe that the system has been successful, and is likely to be so in future. Supposing that to be the case, would it be very creditable to this House at once, on a question of economy, to abandon that system at the present moment? The hon. Member for Buckinghamshire has said in effect—" Secure your power; secure all those establishments that are necessary for the dignity of the country and the real business of the Executive; but upon this, a mere question of humanity, cut down your establishments, and thus relieve the burdens of the country." Sir, I can conceive no course so little honourable to this House as to say—" Here are establishments which it is necessary to our power that we shall keep up—powers which, for the sake of the Executive Government, it is necessary that we shall keep up; but this is an item coming under the head humanity—you may make a million by abandoning it—humanity is not necessary—let us get rid of so much taxation, and save so much in the estimates." What I wish the House to consider is, that this is a question not to be decided summarily on the strength of a statement made by an hon. Gentleman on a day devoted to other business—but it is a question to be decided after due examination and consideration. The hon. Member for Montrose says—and I wish I could agree with him in all his anticipations—that it will be found that free labour is less expensive than slave labour, and that if it receive proper encouragement it will beat slave labour out of the field. Now my expectations go a good way with his; and I am inclined to believe that with due encouragement to free labour, which I cannot say that we have given to the extent that we ought—I say that I am inclined to hope that free labour will be able to compete successfully with slave labour. But if we have not given sufficient encouragement to free labour—if rightly or wrongly our fears of the slave trade have induced us to place impediments in the way of free labour—so that where there is a great quantity of labour at hand, as in India, capital has not been applied for the purposes of cultivation—surely, Sir, that very fact forms a reason for our not acting precipitately, and for using due deliberation ere we attempt to make any change in our system. You may find, a year hence, that you can safely abandon a great part of your present system, if free labour is able to compete successfully with slave labour. On that ground you may act with confidence, and you will not have to reproach yourselves with having abandoned a system which would have led you, had you persevered in it, to a successful result.

Sir R. PEEL: I am not one of those who think this a convenient occasion to revive the discussion that took place in 1845, as to the policy of the treaty then entered into with France, for the purpose, not of abrogating the rights we then possessed, but of substituting some other system for the suppression of the slave trade, that was thought likely to be more efficaciously applied than that which we then possessed; but I think, notwithstanding the explanation of the noble Lord, the hon. Member for Buckinghamshire still seems to labour under misapprehension as to the extent to which this country has relinquished the right of search. We possessed the right of search in 1845 in regard to all those countries that carried on the slave trade. We had the right of search in respect to Portuguese vessels, in respect to Spanish vessels, and in respect to the vessels of Brazil. The hon. Gentleman seems to think that, by the transactions of 1845, the right of search was abandoned by this country with regard to the vessels of Powers carrying on the slave trade; but, in fact, we retain at this moment, in 1848, in full possession every right of search that we had at the commencement of 1845 with regard to vessels of any country excepting France. We have still a full and complete right of search as to Portugal, the Brazils, and Spain. As to the policy of the treaty of 1845, when that subject was discussed in this House with a full knowledge of the facts—with the most recent and complete information as to the policy of Government—the policy in question met with the almost unanimous approbation of the House—the noble Lord, who disapproved of that policy, although he brought forward a Motion on the subject, not caring to take the opinion of the House, because he admitted that it would be against his views, and limiting himself simply to a demand for papers. Well, but what was relinquished in 1845? We had the right of search reciprocally with France, extending along the whole of the west coast of Africa—we had no right of search along the eastern coast at all, and only on certain portions of the sea lines of Cuba, the Brazils, and Madagascar. With respect to French vessels, indeed, we had no right of search at a higher latitude than that of ten degrees. France and England were to give warrants granting the right of search of the vessels of the two countries respectively in those parts where the right was reciprocal; but we were not entitled to ask for warrants for more than double the ships held by France. Consequently, if France were jealous of British power, and if she objected to this right of search, by limiting the number of vessels for which she made application for warrants, she had the power of preventing us from employing any greater number of warrants than she chose. If she employed, for example, only five vessels on the coast of Africa, we had power to employ only ten. France, I believe it is admitted, does not carry on the slave trade. I believe there is no suspicion of French vessels carrying on that traffic; but this House feared that slave vessels might assume the French flag, and accordingly we still have the right of visiting French vessels under the restrictions I have specified. It did appear to us that if we could insure the co-operation of France, even with limited powers of search, the moral influence of two such great Powers acting cordially in concert with each other would be more efficacious for the suppression of the slave trade than the course previously followed. It was no unseemly deference to French opinions or prejudices that led us to adopt the Treaty of 1845. We had a *bonâ fide* belief that in the state of opinion then prevalent in France, with respect to the right of search, we were more likely, by the provisions of this treaty, to have efficacious aid from that country than if we insisted on maintaining the right given to us by the Treaty of 1838. I am not in a position to give an opinion as to the result of this arrangement equal to that which can no doubt be given by the members of Her Majesty's Government; but I must again remark, that our right of search has not in the slightest degree been affected by the Treaty of 1845. With respect to the present Motion, I shall certainly feel it my duty to vote against the Motion of the hon. Member for Inverness. That Motion might have been very good if moved as an amendment on the Motion of the hon. Gentleman opposite (Mr. Hutt) a month ago. He moved that the House should go into a full inquiry as to the policy of adhering to our present system. The House assented to that Motion, and a large number of Members have accordingly been applying themselves to the question. I did not object to that Motion, though I participate in the opinion expressed to-night by an hon. Member, that there is great evil in appealing too frequently to the opinions of Select Committees. There is a danger of weakening the power of the Executive Government; but I am not quite sure that this is not a case in which the House is specially called upon to make inquiry, because our present policy for the suppression of the slave trade is not so much the policy of the Government as of the country and the House itself. The House in 1839 did, on the Motion of the hon. Member for the University of Oxford, with an unanimous voice, address the Crown to enter into fresh treaties, and invoke in a greater degree than before the aid of other Powers for the suppression of the slave trade. And is this house to vote to-night an address to the Crown, praying that the Crown should enter into negotiations for the purpose of abrogating the treaties that exist for that purpose? It is possible that the House may have changed its opinion; but I think it should be our policy not to take that step without having instituted a full inquiry as to the efficacy of the system which was imposed on the Executive Government by this House. If that system has failed, it is open to the House to revoke it; but for the credit of the House, surely, that decisive step ought not to be taken without that full inquiry, the necessity for which in this case justified the appointment of the Committee, in order, if possible, to throw the fullest light upon the subject. That Committee is already formed; it has summoned before it many of the most distinguished officers who have been employed upon the service; and I, for one, am disposed to suspend my judgment until the report of that Committee be brought forward. I wish to leave my mind free upon the subject, and therefore I must decline stating my own impressions, founded upon the facts which have already reached us, until I have the fullest information possible on the subject. There has been a change, no doubt, with respect to the sugar duties. It is impossible not to feel that the admission of slave-grown sugar may have made a material alteration in the case. I pronounce no opinion. It may be shown that that admission may only increase the necessity for vigorous exertions on the coast of Africa. We have heard to-night of the enormous profits of the slave trade—amounting often to 400 and 500 per cent—and I certainly am not prepared to say that our efforts to suppress the trade should be relaxed, and that having opened our markets to slave-grown sugar, we should leave the coast of Africa open to the traffic of slavetraders. Neither am I prepared to assent to the proposition which would compel the Executive Government to appeal to France; and I say so without referring to all the considerations which must be presented to our minds upon that subject at the present moment. I am not prepared to assent to a proposition which would fetter the hands of the Executive Government, by resolutions adopted without inquiry—nay, adopted in the face of the inquiry which not a fortnight ago we assented to—a proposition by the execution of which the authority of the Executive Government with France would certainly not be much increased, and certainly would not be likely to add much to that of the House of Commons. It is a better course, I apprehend, to leave the matter in the hands of the Executive Government. It is a course, indeed, only consistent with good policy, and with the character of this House, if, having assented to an inquiry, we permit it to take its course, and to lay before us all the information which it is likely to supply, before we take any decisive step in the matter to which that inquiry relates.

Mr. BOUVERIE, amidst calls for a division, said, that the question was, whether the policy which they had been pursuing, expending millions of money and sacrificing hundreds of lives, was a right and just policy or not? Was it right to tax the people of this country for an object which did not properly fall within the range of the Government at all?

The House divided, on the question that the words proposed to be left out stand part of the question:—Ayes 216; Noes 80: Majority 136.

List of the Ayes.

Acland, Sir T. D.
Adair, R. A. S.
Adderly, C. B.
Aglionby, H. A.
Anderson, A.
Anson, hon. Col.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Ashley, Lord
Baring, H. B.
Baring, rt. hon. F. T.
Barnard, E. G.
Barron, Sir H. W.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Birch, Sir T. B.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Bramston, T. W.
Brisco, M.
Brockman, E. D.
Brotherton, J.
Buller, Sir J. Y.
Buller, C.
Bunbury, E. H.
Busfeild, W.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Cavendish, hon. G. H.
Cayley, E. S.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Christy, S.
Clay, Sir W.
Clay, J.
Clements, hon. C. S.
Clerk, right hon. Sir G.
Cocks, T. S.
Codrington, Sir W.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Corry, rt. hon. H. L.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Currie, H.
Currie, R.
Damer, hon. Col.
Davie, Sir H. R. F.
Davies, D. A. S.
Dawson, hon. T. V.
Deedes, W.
Dod, J. W.
Douglas, Sir C. E.
Duckworth, Sir J. T. B.
Duff, G. S.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Edwards, H.
Ellice, rt. hon. E.

Elliot, hon. J. E.
Evans, W.
Farrer, J.
Ferguson, Col.
Ferguson, Sir R. A.
Floyer, J.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Forster, M.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gibson, rt. hon. T. M.
Glyn, G. C.
Gordon, Adm.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Guest, Sir J.
Hallyburton, Lord J. F.
Hamilton, Lord C.
Hardcastle, J. A.
Hawes, B.
Hay, Lord J.
Hayes, Sir E.
Hayter, W. G.
Headlam, T. E.
Heathcoat, J.
Heathcote, Sir W.
Henry, A.
Heywood, J.
Hodges, T. L.
Hodges, T. T.
Hood, Sir A.
Hope, Sir J.
Howard, hon. C. W. G.
Hutt, W.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, Sir J.
Jocelyn, Visct.
Johnstone, Sir J.
Jones, Sir W.
Jones, Capt.
Keppel, hon. G. T.
Kershaw, J.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lewis, rt. hon. Sir T. F.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Macnamara, Maj.
M'Cullagh, W. T.
M'Gregor, J.
M'Naghten, Sir E.
M'Taggart, Sir J.
Magan, W. H.
Mahon, The O'Gorman
Maitland, T.
Marshall, W.
Martin, J.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Miles, P. W. S.
Milnes, R. M.
Monsell, W.
Morpeth, Visct.
Morison, Gen.
Morris, D.
Mulgrave, Earl of
Napier, J.
Norreys, Lord
O'Brien, Sir L.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pechell, Capt.
Peel, right hon. Sir R.
Philips, Sir G. R.
Pigott, F.
Pinney, W.
Plowden, W. H. C.
Power, N.
Pugh, D.
Pusey, P.
Rawdon, Col.
Repton, G. W. J.
Reynolds, J.
Ricardo, O.
Rich, H.
Romilly, J.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Scrope, G. P.
Seymour, Sir H.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Smith, right hon. R. V.
Smith, J. A.
Smith, M. T.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stanley, hon. E. J.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Tollemache, J.
Townshend, Capt.
Traill, G.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Vyse, R. H. R. H.
Ward, H. G.
Watkins, Col.
Wawn, J. T.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Willcox, B. M.
Williamson, Sir H.
Wilson, J.
Wood, rt. hon. Sir C.
Wyvill, M.
Yorke, H. G. R.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the Noes.

Alcock, T.
Alexander, N.
Anstey, T. C.
Bankes, G.
Benbow, J.
Bennet, P.
Bentinck, Lord G.
Berkeley, hon. G. F.
Blandford, Marq. of
Blewett, R. J.
Bouverie, hon. E. P.
Bright, J.
Broadley, H.
Bruce, C. L. C.
Burroughes, H. N.
Castlereagh, Visct.
Clifford, H. M.
Cobden, R.
Crawford, W. S.
Disraeli, B.
Douro, Marq. of
Drumlanrig, Visct.
Duncan, G.
Dundas, D.
Estcourt, J. B. B.
Ewart, W.
Fagan, W.
Fergus, J.
Fitzroy, hon. H.
Fuller, A. E.
Greene, J.
Gywn, H.
Hall, Sir B.
Herries, rt. hon. J. C.
Hildyard, T. B. T.
Hope, H. T.
Hornby, J.
Hudson, G.
Ingestre, Visct.
Jolliffe, Sir W. G. H.
Ker, R.
King, hon. P. J. L.
Knox, Col.
Law, hon. C. E.
Lockhart, A. E.
Lushington, C.
Mackenzie, W. F.
Meagher, T.
Masterman, J.
Molesworth, Sir W.
Moore, G. H.
Mowatt, F.
Nugent, Sir P.
O'Connor, F.
Osborne, R.
Pearson, C.
Pilkington, J.
Raphael, A.
Roche, E. B.
Salwey, Col.
Scholefield, W.
Seymer, H. K.
Shafto, R. J.
Sidney, Ald.
Sotheron, T. H. S.
Stafford, A.
Stansfield, W. R. C.
Stuart, Lord D.
Stuart, J.
Sturt, H. G.
Sullivan, M.
Tancred, H. W.
Thompson, G.
Trelawny, J. S.
Urquhart, D.
Wakley, T.
Walmsley, Sir J.
Williams, J.
Wood, W. P.
Wortley, rt. hon. J. S.

TELLERS.
Baillie, H.
Hume, J.

FORCIBLE EJECTMENTS (IRELAND).

On the question that the House do resolve itself into a Committee of Supply,

Mr. P. SCROPE rose to move an humble Address to Her Majesty, that she will be graciously pleased to direct an indictment to be preferred by Her Majesty's law officers against the parties concerned in the illegal destruction of several houses, and the forcible ejectment of their inmates, which took place within the union of Galway, on or about New Year's day last, and which appears to have occasioned the deaths of several of the unfortunate beings so ill-treated, by the evidence taken on oath before Major M'Kie, poor-law inspector of the union, by order of the Commissioners; which evidence is printed at length in p. 467 of the fifth series of papers relating to the relief of distress and state of the unions in Ireland; thereby to show, by a practical example to the people of Ireland, that the law affords its protection to the lives and property of the poor as well as of the rich, and that it can and will be enforced by the Government when broken against the one no less than against the other. It was a question of the very highest importance—a subject of the most serious and weighty character. The facts on which he relied affected those very classes in Ireland who deserved the most attentive consideration of the House. It was the poorest of the people in that unhappy land who had been thrust out of their houses at the dead of night, and left houseless wanderers on the face of the earth. With guards of the military and police, they were sent out of their houses, and with a small sum of money, were left to wander over the world. Several attempts of the hon. Member to read some extracts having been met with opposition, he concluded by putting the Motion of which he had given notice.

Mr. E. B. ROCHE rose to encourage the hon. Member to proceed in his Motion. He hoped, notwithstanding the impatience of the House, and the unwillingness with which they had heard the hon. Member, that he would press this question, which was one of the greatest importance to the poor people of Ireland. The houses of the poor were pulled down without either justice or law, and he submitted that the hon. Member should be heard on the Address.

The ATTORNEY GENERAL thought that he could relieve the hon. Gentleman from the difficulty in which he was placed. He had asked whether an indictment was to be preferred by the law officers of the Crown against the parties concerned in the illegal destruction of several houses in Galway, as appeared by the evidence taken before Major M'Kie, the poor-law inspector of the union of Galway. There was no doubt of the law upon the subject. If a landlord gave a notice to quit to a tenant, after the period of his tenancy had expired, such landlord had a perfect right to enter the premises, provided he did so peaceably. If he entered by force he might be indicted for such forcible entry; and if a riot was occasioned, the party might be indicted for a riot. If, on the other hand, the entry was made before the notice to quit had expired, and before the term for which the tenant held his lease had ended, the tenant was entitled to a civil remedy. Of the law there was no doubt whatever. He apprehended that it was not usual in this country, certainly not in Ireland, to make any amount of private wrong the subject of a public indictment.

Mr. S. CRAWFORD complained that in a case of such atrocity the House was told that it was not the duty of the Government to institute an inquiry. He knew it was an indictable offence, as the Attorney General had stated, and that the parties might be taken before a magistrate; but what were the poor people to do when the magistrate himself was the party concerned in the ejectment? for Mr. Blake, who was the party accused of this inhuman act, was himself in the commission of the peace. He considered it was the duty of the Government immediately to send down a Commission to find who was to blame.

The Earl of ARUNDEL and SURREY had seen the evidence relating to this monstrously cruel transaction; and if it were not the practice of Government to indict in such cases, the sooner that became the practice the better.

Mr. REYNOLDS said, this was a question of far more importance than the one which had engaged the attention of the House for the last five hours. They had been discussing African slavery; but he must be permitted to ask whether Irish slavery, and the murder of the Irish people, were not more important than the mitigation of African slavery? He had heard with deep regret the reply of Her Majesty's Attorney General, that the only remedy in this dreadful case was to be obtained by resorting to what was called the ordinary operation of the law, as that amounted to the fact that there was no redress at all, considering the power of the oppressor and the weakness of the oppressed. The accused in this case, Mr. Blake, a magistrate of the county of Galway, had admitted in the evidence that he had unhoused the people without the sanction of either law or justice, and sent them forth upon the wide world in the inclement month of December, and that lives had been sacrificed in consequence. If there were no law to punish this conduct, he would still ask the Government whether this magistrate was to be allowed to remain in the commission of the peace? He recollected that Mr. Alexander O'Driscoll, a Cork magistrate, had been dismissed for striking a boy while he was engaged in his magisterial duties; but that offence was a most venial one compared to that of Mr. Blake. He cautioned the House against passing over the offence of Mr. Blake, for if they did, it would teach the people of Ireland that they were to have no redress under such atrocious circumstances, and their confidence in the justice of that House, which was every day diminishing, would become

> "Small by degrees, and beautifully less."

He appealed to the House whether it was not indispensably necessary to institute an inquiry, and called upon the Government, if it had no power to prosecute, to do the next best thing, and dismiss Mr. Blake from his office as a magistrate, since he was charged with the commission of a most atrocious offence, on the authority of Major M'Kie, a gentleman holding a commission in Her Majesty's service.

SIR R. PEEL: I can easily believe that the hon. and learned Gentleman the Attorney General is perfectly correct in stating that, according to the existing law, the Government cannot interfere in this matter; but if that be so, it is the more incumbent upon us, when cases of this kind are brought under the notice of the House, where the law affords no remedy, and where the Government are powerless, to exercise at any rate the moral power which we possess, by marking our indignation against such occurrences. I shall read to the House what is the report of a military man on the case—a person employed by Government, and in whose statements apparently the utmost confidence may be placed; and I doubt whether in any country calling itself civilised, a case of more grievous injustice ever occurred. Major M'Kie, in his report to the Poor Law Commissioners, stated, that—

> "It would appear from the evidence recorded, that the forcible ejectments were illegal; that previous notices had not been served; and that the ejectments were perpetrated under circumstances of great cruelty. The time chosen was for the greater part nightfall on the eve of the new year. The occupiers were forced out of their houses with their helpless children, and left exposed to the cold on a bleak western shore in a stormy winter's night; that some of the children were sick; that the parents implored that they might not be exposed, and their houses left till the morning; that their prayers for mercy were vain; and that many of them have since died. I have visited the ruins of these huts (not at any great distance from Mr. Blake's residence); I found that many of these unfortunate people were still living within the ruins of those huts, endeavouring to shelter themselves under a few sticks and sods, all in the most wretched state of destitution; many were so weak that they could scarcely stand when giving their evidence. The site of these ruins is a rocky wild spot, fit for nothing but a sheepwalk."

That these ejectments were illegal is expressly stated in the report of this gentleman to the Commissioners. I know, however, that the law is powerless in procuring redress in such cases; but I know also, that the mere statement of the facts in the House of Commons, accompanied with the expression of such feelings as can alone be excited when such facts are narrated to us, will not be without its influence; and I must say that we owe an obligation to the hon. Gentleman (Mr. Scrope) for bringing forwerd this Motion; for not having permitted this ponderous volume to rest in oblivion; and for having invited us, by our comments, to mark our sense of the proceedings referred to.

MR. HUME wished to ask whether there was any Government in Ireland, and if so, why it did not deem it a duty to interfere in such a case as this? Were there any public officers to take cognizance of these things? If not, would it not be much better to let the people of Ireland govern themselves, than to allow such scenes as those they had heard described to-night occur again? He was not at all surprised that there should be a call for a repeal of the Union. They had, in the course of their debates, spoken of the sufferings of slaves in the middle passage; but they had now evidence that even more grievous sufferings might have to be endured in the midst of civilised life. This was a case which put the Government on their trial. Why, he would ask, had not the Government, through their officers, taken cognizance of these outrages against the common feelings of humanity? He trusted Her Majesty's Ministers would not rely upon moral influence alone, as suggested by the right hon. Baronet the Member for Tamworth; but that, if the law was not sufficient to protect the poor and helpless from the tyranny of their landlords, the Government would at once bring in a measure to afford them that protection. He was quite shocked at the statements he had heard; he was not aware of anything having occurred of so distressing a nature; and he hoped the Government would not lose a day before devising means for preventing the recurrence of such outrages against the people.

SIR G. GREY said, it was quite evident the hon. Member for Montrose had not read the papers that were before the House relating to these occurrences. If he had, the hon. Gentleman would have seen that it was through the instrumentality of the Government that the statement of facts which had so strongly excited his indignation had been disclosed. The question with reference to the conduct of Mr. Blake simply was, whether he had, as alleged, illegally destroyed these houses? That question had been submitted to the law officers of the Crown; and, in the absence of the Attorney General, he (Sir G. Grey) on a former occasion ventured to say that upon the statement of the facts, the Government had no power to institute a criminal prosecution against Mr. Blake for what he had done. His hon. and learned Friend had since then declared that the opinion which he (Sir G. Grey) gave was perfectly correct. At the same time, he (Sir G. Grey) expressed his opinion as to the character of the facts. He did not at all conceal the opinion he entertained as to the nature of those proceedings. His right hon. Friend (Sir W. Somerville) was at present in communication with the Lord Lieutenant of Ireland respecting the facts which had been brought under his consideration; and if it were practicable for any proceedings to be taken in regard to them, there could be no doubt that the Irish Government would immediately institute such proceedings. He (Sir G. Grey) had himself personally communicated with Mr. Hatchell, the Solicitor General for Ireland, and that learned Gentleman had told him that his attention had already been directed to a case of a similar character—that of Mr. St. George, which had been alluded to on a former occasion—and his (Mr. Hatchell's) opinion was, that although there was a case of apparent illegality, yet there was not, in fact, any case of real illegality. The circumstances were these: the middleman was legally ejected, and those who held under him were necessarily ejected also, the latter parties not being entitled to any notice to quit from the superior landlord. He mentioned this to show that there were no legal means at present existing to check proceedings of this kind; at the same time, he hoped it would convince hon. Members that it was not to be assumed there were obvious cases of criminality which might have been prosecuted, but that the Government had shrunk from discharging their duty in that respect.

Mr. STAFFORD said, that the whole conduct of the Government, both in relation to this atrocious affair, and to the administration of the poor-law generally, acquitted them entirely of the charges made against them. It was not to be expected that these ponderous blue volumes should be waded though except by those who had a local interest in the details; but he called upon the House and the country to remember how the Irish Members had acted on a former occasion. They had been told that cases like this would happen; and when the appointment of a Committee of Inquiry was pressed upon the Government and the House, that Committee was refused. He did not now impugn the wisdom of this refusal; but he called attention to the way in which the arrangements then made told on this inhuman and cruel transaction. If a smaller area of taxation had been agreed to, Mr. Blake would have had to bear the burden of his own poor, and not have been enabled to cast out his impoverished tenantry to be supported by others. He was sure that the disinclination the House had shown to listen to the hon. Member (Mr. Scrope) arose from its unwillingness to discuss incidentally a matter which called for a graver treatment and a different temper than the House could be expected to give at so advanced a period of the evening.

Mr. O'CONNOR condemned the Attorney General for the heartless manner in which he got up and told the House that there was no law in existence to meet the case. If property had been touched, there would have been a law, or, if not, one would have been quickly proposed; but when the lives of the poor Irish were at stake, the House treated the matter with cold indifference. He would tell the Government that theirs was an exterminating Government, and that they refused to look after the interests of the people, though they were dying by thousands every day, while the landlords received every advantage they asked. He felt insulted as an Irishman when he saw the people starving upon a land large enough and fertile enough to maintain them all in affluence, contentment, comfort, and peace. Let the Government look to what was passing in other countries, and then say whether this was a time to trifle with the people. They sympathised with Poland; but while Poland was redolent only of the fresh blood of the martyrs who had fallen for their country, Ireland was stinking with the decomposed carcases of her starving people, who had been cut off by famine, "unhouselled, unanointed, unannealed." ["Oh! oh!"] It was the truth; ten persons had been buried in one coffin.

Sir H. VERNEY said, that hon. Members who had talked of Poland and of slavery could not say that any hon. Gentleman in that House had ever said that those topics were of more importance than the prosperity, the comforts, and the advancement in civilisation of their Irish fellow-subjects. On the contrary, the deepest anxiety had always been manifested; and he believed, from the bottom of his heart, that the sentiments, the opinions, and the statements of the hon. Member opposite (Mr. O'Connor) were entirely destitute of foundation. He believed he spoke the sentiments of every English Gentleman in the House, that they desired to go hand in hand with Ireland to assist her and promote her prosperity. Under the providence of God, they possessed institutions which were the blessing of the country, and which other countries were now endeavouring to secure.

MR. OSBORNE thanked the hon. Member for Stroud for having brought forward this charge. He (Mr. Osborne) was not previously aware that such statements as that which the right hon. Gentleman the Member for Tamworth had made were contained in the report; and he would ask the Government whether the Lord Chancellor had communicated with Mr. Blake, respecting his situation in the commission of the peace; for if he were cognizant of those proceedings he ought to be dismissed; and, if there were any law in Ireland, he ought to be prosecuted. He found that the son of Mr. Blake, not content with turning the people out of their houses, had actually beaten one within an inch of his life; and if the House did not interfere from motives of humanity, it ought from motives of selfishness; for it could not be expected that if such atrocities were perpetrated with impunity, the people of Ireland would remain contented. He wished to hold no violent language; but, he did say, that unless the Government took up this subject with a strong hand, and instituted a searching inquiry, it would be impossible to answer for the peace of Ireland from day to day.

COLONEL DUNNE expressed his abhorrence of the atrocities that were stated to have been committed.

MR. MONSELL said, it appeared that the people who were turned out and who died, did not die from want, but from exposure to the weather, being turned out in the middle of the night in snow and rain; and he believed that if the Government acted with vigour, they would establish against the persons guilty of these atrocities the crime of manslaughter. But, although the Government had been in possession of these facts for months, no steps had been taken to punish the parties concerned in them. He entreated the Government to attend to this, and let the Irish people see that their lives were as much the care of the Government as those of any other persons in the empire.

SIR W. SOMERVILLE could not say whether those persons could be punished by law; but the attention of his right hon. Friend the Attorney General had been called to it, and the circumstances were now under his consideration.

MR. P. SCROPE replied, his object was attained by calling attention to the subject. If the law to punish did exist, let it be vindicated, if not, let a law be passed to do justice to all—to the poor as well as to the rich.

Subject at an end.

COMMITTEE OF SUPPLY—SURVEY OF THE METROPOLIS.

House in a Committee of Supply.

On the question that 40,000*l.* be granted for the scientific branch of the service,

MR. WYLD wished to ask the hon. and gallant Officer (Col. Anson), whether any portion of this vote was to be given for the survey of London for the purposes of the Health of Towns Bill?

COLONEL ANSON replied, that a portion of it would be devoted for that purpose; but the subject would come before them in detail on a future occasion.

The EARL of LINCOLN wished, before the vote was put, some more definite answer was given to the question of the hon. Member for Bodmin (Mr. Wyld), as to whether the ordnance survey of the metropolis was to be defrayed out of this vote. It was desirable to know whether it would be necessary to suspend the surveys in the other parts of the country to proceed with that of London. He hoped that they would not suspend the surveys in other parts of the country; for if they were stopped, it would entail great expense hereafter. He hoped the hon. and gallant Gentleman would explain more fully what was the nature of the vote now proposed, and what was the expense of the survey of the metropolis.

COLONEL ANSON would in the first place answer the last question of the noble Lord. The whole amount of the charge in the Ordnance estimates for the surveys of the United Kingdom was 60,000*l.*, and the charge for surveying the metropolis would of course form a considerable item. The expense of the survey of London was at present the charge for triangulation, upon which comparatively few persons were employed, and the expense up to the end of the month would be about 1,000*l.* The charge for block plans and engraving would be comparatively large. The block plans would cost between 4,000*l.* or 5,000*l.*, and the engravings nearly 19,000*l.* He should state also, there were several other surveys going on for the purpose of engraving plans of large towns. He had been asked by an hon. Member whether the Government intended to have ordnance surveys made of other towns for the purposes of the Health of Towns Bill. There were already in existence a great number of ordnance surveys of large towns many of them engraved, or being engraved. There was a greater demand for such surveys for towns in the manufacturing districts than for those of less importance. Certainly it was not intended to propose such a survey for all the towns in England. It became a question of expense, and it was obvious that such a proceeding must be attended with great expense; but of course it was a matter for the consideration of the House.

Mr. HUME had not yet heard a distinct answer to the question as to who was to pay for the survey of the metropolis and other towns. He certainly had heard that the survey was to be made by the Ordnance, but had never heard that London or other large towns were not to pay for the expense out of their local funds.

Colonel ANSON said, that the money came out of the Treasury. The Chancellor of the Exchequer gave to the Ordnance Department permission to draw on account of the expenses, which were estimated at 1,000*l.* to the 1st of April. But 500*l.* was the amount to be paid in advance for the present. How the whole of the cost was to be finally paid he could not say: that, he conceived, was a question which would lie with the House of Commons. For his own part, he thought the City of London might contribute a portion of it.

Mr. WYLD thought the survey for the Sanitary Commission was entirely unnecessary. It was calculated that it would cost 25,000*l.* But he was satisfied it would cost at least 200,000*l.* The Dublin survey had cost nearly 200,000*l.* with the cost of engraving; and it was proposed that there should be a simple block survey of the metropolis at a cost of 20,000*l.* [Colonel Anson: it was 15,000*l.*] It could not be completed for the money. The whole metropolis had been already surveyed under the Parochial Assessment Act, and there could be no need of a further survey. That survey had cost the inhabitants 300,000*l.*, and they would object to submit to a further demand. A level, indeed, was wanted; but that could be prepared from the parochial survey at a cost of 15,000*l.*, without bringing a number of surveyors from the northern districts.

Mr. OSBORNE thought that with the uncertainty which existed with regard to the block plan, they would be blockheads if they thus voted 1,000*l.* to get in the wedge for this triangulation; and where the expense was to end, no person could tell. He did not think they understood what they were going to do, and submitted that the vote should be postponed.

Viscount MORPETH did not intend to shrink from any representation he had made to his colleagues of the Government. He did not see that there was any injustice to the country in large in doing for London what the inhabitants of London were doing for the country at large. A certain sum was voted every year for the Ordnance survey of the United Kingdom; other towns in the country were now in the course of regular survey; and when it was considered of importance, with a view to sanitary improvements, that a survey should be commenced in London, he did not see the injustice of taking a portion of the sum voted for the whole kingdom, and applying it to the commencement of that work.

The Earl of LINCOLN said, the noble Lord (Lord Morpeth) thought there was no injustice in taxing the rest of the country for this survey of the metropolis; but here, in reality, rested the whole of the question. In the noble Lord's Bill, at least as originally introduced, a provision was made that every town which was surveyed for sanitary purposes was to pay, by a rate imposed upon it, the expense of such survey. If the various towns throughout the country were, in pursuance of that provision, to be obliged to pay such expenses, then undoubtedly it would be a great injustice to take a large and wealthy city like London out of the category. If they paid for the survey of London, why should they not adopt the same rule with regard to York, Nottingham, Bristol, and other towns? In that case, instead of those towns being rated for the expense of the survey, they too must have their surveys paid for at the public expense. This was not a vote for 1,000*l.*, but for a much larger sum, and he thought that the House ought to know what the whole estimate would be. It had been stated at from 20,000*l.* to 25,000*l.* In a Bill which he had himself proposed to bring in six years ago, the original estimate was between 20,000*l.* and 30,000*l.*, but it gradually rose to above 100,000*l.*, when he pressed for a more accurate estimate. He trusted, therefore, that the noble Lord would be prepared with full information before he asked the House for a second vote.

Vote agreed to.

House resumed and adjourned at half-past One o'clock.

HOUSE OF LORDS,

Monday, March 27, 1848.

Minutes.] *Took the Oaths.*—The Lord De F rey

Public Bills.—3ª and passed; Queen's Prison; Administration of Oaths, &c., Court of Chancery.

Petitions Presented. From Wheelock and Handsworth, against the Admission of Jews into Parliament.—From Members of several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From Hardington, and several other Places, for the Imposition of the several Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From Aberdeen, for the Adoption of Sanitary Measures for Scotland.

MEDALS TO THE ARMY AND NAVY.

The **Duke of RICHMOND** said, that he wished to ask his noble Friend (Earl Grey) the question of which he had given him notice the other day. Their Lordships would be aware that in the year 1846 he presented a memorial to Her Majesty from the veteran officers of the late war, praying for some decoration which would show that they had done their duty to their Sovereign and country; and that in answer to that memorial he received a communication from Lord John Russell, stating that Her Majesty had been graciously pleased to command that a medal should be struck. Subsequently to that period he had again called the attention of the House to the subject, by asking a question of his noble Friend opposite, who was Secretary of State for the Colonial Department (Earl Grey). Since that time, he believed, nothing had been done. He did not complain of the Government, still less of the board of general officers or admirals, to whom the claims had been sent in. He believed that a great number of these claims had been investigated, and that a very full report had been made to the Government, or, at all events, would very shortly be made, showing that there were a great number of individuals who had been in the actions for which medals were to be granted. He now wished to ask when the medals to the veteran officers, non-commissioned officers, soldiers, and sailors, were to be issued, and to suggest, if any further delay was to take place, that the ribband be forthwith sent to all who have proved their claim, with permission to wear them. The Peninsular war took place more than thirty years ago, and as yet no decoration had been given to the officers and soldiers who served there. When the officers and soldiers who recently served in India arrived in this country they received their medals. Was it not extraordinary that, for battles only fought and won some sixteen months ago, the men should get their decorations, and yet for battles fought and won forty-five years ago no medals could be got? Most of these officers and soldiers were men of considerable age—many, indeed, had died since he had last addressed the House on the subject. He, therefore, hoped that the medals would be given as soon as possible to the survivors, and also to the representatives of those who were dead, as it would be gratifying to them to receive a mark that their relatives had done their duty to their Sovereign and their country in a time when their exertions were most valuable and important.

Earl GREY said, he could assure his noble Friend that there had been no unnecessary delay in carrying out Her Majesty's gracious intentions on this subject. Great difficulty had been experienced in investigating and deciding upon the claims of so many individuals. In this investigation much progress had been made, and the medal for the Navy (as we understood the noble Earl) was now ready. The medal for the Army had been unavoidably delayed in consequence of an accident which had happened to the distinguished artist to whom the preparation of the die had been entrusted, Mr. Wyon; but he believed that it would now be ready in a short time. With regard to granting medals to the representatives of deceased officers and soldiers, he should say, considering the time which had elapsed, such a measure would be not only extremely inconvenient but altogether impracticable.

After a few words from the Earl of HARDWICKE and the Earl of AUCKLAND,

Subject at an end.

House adjourned.

HOUSE OF COMMONS,

Monday, March 27, 1848.

MINUTES.] NEW WRIT.—For Devonport, *v.* John Romilly, Esq., Solicitor General.—For Sligo, *v.* John Patrick Somers, Esq., void Election.

PUBLIC BILLS.—1° Administration of Oaths (Court of Chancery); Parliamentary Electors.

2° Insolvent Debtors (India).

3° and passed; Borough Police Superannuation Fund.

PETITIONS PRESENTED. By Mr. Osborne, from the Parish of Saint Luke, Chelsea, against Increase or Continuance of the Property Tax.—By Mr. Poulett Scrope, from Mayo, for Inclosure of the Commons and Waste Lands (Ireland).—By Mr. Bramston, from Fowlness (Essex), and by Mr. G. S. Duff, from the Presbytery of Strathbogie (Scotland), against Diplomatic Relations with the Court of Rome Bill.—By Sir William Somerville, from Drogheda, against Imprisonment for Debt (Ireland) Bill.

CASE OF MR. C. POLLETT.

On the Order of the Day for the Committee on the Property Tax Bill,

MR. BAILLIE COCHRANE rose to call the attention of the right hon. Baronet the Home Secretary to a case of great oppression. It was the case of Mr. Charles Pollett, a clerk to the Brighton railway, who had been summoned in the Whitechapel county court for a debt of *2l.*, and, being unable to pay, was committed under an execution to the House of Correction. In the statement which he had laid before him (Mr. Cochrane) he represented, that on reaching the prison, he was placed in a lock-up and searched — that two hours after the governor came round and asked him what he was there for; he replied that he was sent there, because he had been unable to pay a debt, by the Whitechapel court — that the governor said, "Nonsense, you are here for contempt of court — you are here for correction, and correction you shall have;" that he (Mr. Pollett) was about to speak, when the governor said, "Silence, you are not allowed to speak here;" and he pointed to a board; he (Mr. Pollett) said he was not a felon: but he was locked up, served with a dinner of gruel, like the other prisoners, and at night he was conveyed to a cell, in which was an iron bedstead and a bed of straw, where he was locked up until six o'clock next morning, when he was put with the other prisoners in the yard; that he was then put into a bath, and received a prison dress, and ordered to pick oakum; that he had his hair and whiskers cut close, and his chin shaved, against his will; that he underwent the treatment of a felon for three days, when he became ill, and a surgeon was sent to him, to whom he mentioned his case; and on the fifth morning he was taken before the governor and discharged, the governor saying, "Forty-one, you may go"—that he inquired of the governor the reason why he had been treated in so degrading a manner, which had ruined his character: the governor said he had been committed for contempt — that he (Mr. Pollett) had asked for a copy of the commitment, which was promised, but he had not received it. Mr. Pollett was respectably connected; but he had lost his employment, and, with this stigma upon his character, he would have some difficulty in procuring another situation. He had inquired into the case, and into the character of Mr. Pollett, which was excellent; and it was inexplicable to him how a person could have been treated in such a manner for non-payment of a debt of *2l.*

SIR G. GREY said, he had received no complaint from Mr. Pollett; but having seen the statement which the hon. Member had read, in the *Daily News* of the 17th of March, he had written to the justices of the prison, directing them to inquire into the allegations contained in that statement. Not having received any reply on Friday, when the hon. Member mentioned to him his intention of bringing the subject before the House, he had written another letter, calling for an immediate report.

THE PROPERTY TAX BILL.

On the question that the Speaker leave the chair,

The CHANCELLOR OF THE EXCHEQUER said, the hon. Member for Montrose proposed to refer this Bill to a Select Committee. He thought this was an unusual course; he did not believe there was any instance of such a Bill being referred to a Select Committee. Nor would the hon. Member attain his object by so doing, which was to introduce a graduated scale of taxation; that would be contrary to the forms of the House.

MR. HUME said, there might be difficulties in the way of his attaining the object he had in view; but when the right hon. Baronet said his (Mr. Hume's) proposal was unusual, so was the proceeding in respect to this Bill; and it was on that ground he appealed to the House, and asked it, as this tax was to become perpetual, whether it was not better now to endeavour to obtain some modification of it, in order to remove the objections to many of its clauses. It was on that account that he had submitted a proposition to the House that the tax should be continued for one year, and there would be then time for consideration and for inquiry by the Government into the inequalities of the task, for he held it to be the duty of Government to make such inquiry. When the right hon. Baronet the Member for Tamworth introduced the Bill, he was aware of the inequality of the tax; but as it was for a short and limited time, he had supported the Bill on that ground, and because it was required for certain great objects. The case, however, was different now; and as the Government, with a full knowledge of all the objections to the tax in its present shape, took no step to make any inquiry, it appeared to him that the duty devolved upon the House. He was, however, anxious to give Her Majesty's Government one more opportunity of showing a desire to meet the wishes of the country, for from one end of the country to the other, the complaint was general as to the inequality of the tax. The objection was not to the payment of a direct tax, but to an unjust direct tax; and it was the duty of the Government to make the tax as palatable as possible to the community. But the Bill was not framed like any other Tax Bill. It appeared to him a capital fault in this measure, that the officers by whom it was to be carried out were not officers of the Crown. They were persons over whom the Crown could exercise no power or authority. It was, on the contrary, well known that they were, for the most part, political agents. The majority were what was called Conservatives; for they were, generally speaking, appointed at the instance of county Members. Now, could anything be more intolerable than that they should be entitled to call upon persons belonging to the same rank in life as themselves, and to the same professions, to produce statements of their income and the nature of their business? Let the House imagine one set of merchants and manufacturers asking another what line of business they were engaged in — what were their profits — who were their partners — what shares were held by each partner — what was the amount of borrowed money employed by the firm — and all these questions put by rival, and, in many cases, by hostile persons. He would ask any one who knew how those persons were appointed, whether he believed that any had been appointed under the responsibility of the Government—was it not universally admitted that they had long been notorious as political agents? And now, he would ask, was it consistent with the high character for independence borne by the British merchant and manufacturer that he should be subjected to such an inquisitorial examination? He objected to the Bill, first, on account of the mode in which the Commissioners were appointed; secondly, he objected to it on account of its inquisitorial character. Surely the Parliament ought not to allow the continued existence of such a Bill for three years; but if they were determined that it should continue for such a length of time, then ought they to use their best endeavours to remove the main objections to the character and nature of the tax. Amongst the objections to the income-tax, this was most prominent and obvious—a man was to be taxed according to the average amount of his income for the three preceding years. Upon a professional man, and on a man in trade, that operated most severely, because for one of the years he might enjoy a good income, and during the two others he might be losing. Amongst the difficulties that were started in the way of amending this Bill, was the trouble which such amendment would occasion; and he must be allowed to say, it would be impossible to discover a more discreditable ground of objection. He could not conceive anything more injudicious than the refusal of inquiry at a moment like the present, when the general impression seemed to be that it was a tax upon capital, and not upon income. Every one who heard him well knew that in the year 1806 the tax was a novelty, and a novelty which went quite against all previous examples. The principle of the income-tax of 1806, on which the present Bill had been founded, was itself at variance with the Act of 1692, for levying the land-tax, which applied to real property. In 1692, the principle of the land-tax was this, that for every 100*l.* of yearly rent, 4*s.* in the pound should be paid, or 20 per cent; and with respect to personal property, 4*s.* in the pound was charged upon the interest at 6 per cent, of every 100*l.* employed in trade. By the present Bill, a tax of 7*d.* per pound on 200*l.* income was charged for personal estate or profession, which imposed upon the owner 5*l.* 16*s.* 8*d.*, while if that were charged on 10*l.*, viz., the interest at 5 per cent, of the 200*l*. 5*s*. 10*d*. would be charged, as in the year 1692. After 1712, when the legal interest was reduced to 5 per cent, 100*l*. of personal estate was assessed at 20*s*. by the Land-tax Acts, and there was no instance in the history of English taxation of the yearly product of industry being taxed until Mr. Pitt's Bill of 1796. The tax was proposed in 1701, but rejected. Nothing so unequal as this tax had ever been imposed since the days of the Commonwealth. As he had already said, the objection was not to direct taxation, but to the injustice and inequality of this particular impost; and he could tell them that the discontent upon this subject was not confined to any particular class; even those whose incomes were below 150*l*. disapproved of it. Upon a professional man it was most burdensome, for to-day his income might be considerable, and to-morrow it might be nothing. They ought not to strain the cord too tight —they ought not to carry on this aggressive system too long. In many cases land had been greatly improved in value of late years; but not so much through the enterprise and exertions of the landlords as through the efforts made by the mercantile and manufacturing interests. In cases, then, where the value of land had been raised—say 100*l*.—the proprietor could afford to pay 40*l*. of that, and still retain 60*l*. of the increase in hand. The House could not have forgotten that a great number of petitions had been presented upon this subject. Let those petitions be referred to a Committee upstairs, and they, no doubt, would suggest such alterations in the Bill as might eventually render it acceptable to the public. Again, in the case of terminable annuities, it would operate most unjustly, for they were charged alike, though the value of a terminable annuity must depend upon its duration, and that upon the amount of capital invested in it. Another case of frequent occurrence was that of manufacturers employing men at a loss. Mr. Fielden was charged as for an income of 15,000*l*. in a year when he had expended 70,000*l*. in giving employment to his workpeople. He could put one case more; a landlord whose estate was worth 3,000*l*. derived from it an income of 150*l*., and paid 4*l*. 7*s*. 6*d*. income-tax. A man in business made 150*l*. per annum; it formed his whole capital, and yet he paid the same tax as the landlord. He would ask, whether such a state of things should be allowed to continue? He believed, that in no country of Europe did such a tax as this income-tax exist. In France, in Prussia, and in Holland, taxes were imposed on patents for carrying on businesses, which involved a direct tax upon individuals; but no attempt had been made to saddle with taxation precarious professional incomes, or to tax properties of different value at the same rate. The House was told that no modification of the tax could be made; but why was an endeavour to effect a modification objected to? Merely because it would give trouble. Now, he begged to call the attention of the Chancellor of the Exchequer to the manner in which the legacy duty was carried out. The value of every annuity was calculated, and the duty imposed was proportioned to the amount. If, then, this principle was carried out with regard to a tax which yielded 2,500,000*l*. to the revenue, he was at a loss to conceive why it might not be applied to a tax which produced 5,000,000*l*. For his own part, he could not understand why the English farmers should be called upon to pay a larger proportionate amount of income-tax than the Scotch farmers. He considered that, in agreeing to the continuance of this tax in its present form, the House would perpetuate an act of great injustice. If the Chancellor of the Exchequer would consent to refer this Bill to a Select Committee, and if the Committee were unable to suggest such modifications as would render the tax more equal in its operation, he (Mr. Hume) was ready to agree to the continuance of the impost for another year, in the hope that, by the expiration of that time, the Government would be prepared with some remedy for the grievances of which he complained. He begged to move, as an Amendment, that the Bill be referred to a Select Committee.

Mr. ROBINSON said, that that which the right hon. Gentleman the Chancellor of the Exchequer had said could not be denied—viz., that it was an unusual course in the present stage of proceeding to refer a Bill like the present one to a Select Committee. The necessity, however, for some such inquiry was admitted by the noble Lord, who had the other evening in a spirit of candour stated that the entire system of taxation of this country was anomalous and unequal, and a fit subject for the careful consideration of the Government. The noble Lord also stated, that he should be ready to consider the question with a view to the removal of those inequalities, Making that admission, the noble Lord pressed for the income-tax for three years more, and he had objected to it at the time, because, without having any reason to doubt the sincerity of the Government, he felt that, considering the difficulty of their present position, if they got the income-tax for a further period of three years the general system of taxation would undergo no modification during that period. He felt it to be the more unlikely, as it had always been a matter of consideration with the Government of the country which was the most facile method of collecting money; and he thought that, while no difficulty was experienced in raising the tax, that there would be little inducement to them to propose a revision of the system. He had always been in favour of a tax upon the wealth of the country, not merely in the shape of a property-tax, for he thought that incomes should be made to contribute also; but he believed that, considering the difficulty the people had at that moment in obtaining employment, and the low rate of wages they obtained, the greater share of the burden should be imposed on the wealth of the country. He had no disposition to deny that in the present state of the country and Europe the Government ought to be supported. He thought that their hands ought not to be too closely tied, but that powers and means commensurate to the present great crisis should be at their disposal. He believed that the simple inquiry which should take place on this question was, whether any and what means could be devised to render this tax more equal and less oppressive in its operation. If the tax were levied on more just principles, a larger amount than 5,000,000*l.* could be raised upon the income of the country. He should give his support to the Motion of the hon. Member for Montrose, for he believed that the time was fast approaching when the gross inequality of our whole system of taxation must be submitted to a revision like that proposed in the case of the income-tax. If no modification could be devised, the better and more satisfactory plan would be to postpone the consideration of this subject to a future time.

SIR R. H. INGLIS was not prepared to support the proposition of the hon. Member for Montrose. If, indeed, the present year were the last of the income-tax, he could not but feel that there would be a great deal in the observations which the hon. Member had urged upon the House. The House could not safely leave such a sum as the Government proposed to collect under the present Bill in such a state of uncertainty as the proposition of the hon. Member, if agreed to, would leave it in. He agreed with the hon. Member for Montrose in his objections to the taxation of capital; nor would he object to a graduated scale of property-tax, ascending from a certain point; for he believed that they might, with real advantage, raise the property-tax by an ascending scale; but it would certainly be disadvantageous if they followed the example of their predecessors, and taxed income down to the lowest point at which taxation could be borne, and beyond which it would become intolerable. He wished that the present Government would not consider a person with an income of 150*l.* a fit object of taxation, but that the tax should be raised on all beyond that amount. For instance, if a person possessed more than 150*l.*, he wished to see the tax raised upon so much of his income as was beyond that sum. When he considered the large proportion of persons whose utmost hope and ambition taught them that as to income 150*l.* a year was the utmost they could reach—when he recollected the number of persons who were mere articled clerks, or half-pay officers, or gentlemen engaged in professions, whose incomes did not amount to more than 150*l.*, he contended that the Government themselves had established the principle that such persons ought to be entirely exempted. Why should a man with an income of 151*l.* pay 4*l.* 8*s.*, and the man whose income was 149*l.* pay nothing? Again, there might be an alteration in the scale of stamp duties, founded upon a principle of entire equality, which would raise a considerable fund. He was opposed to a graduated increase, but he desired to suggest a perpetuated amount of equal per centage on all stamps whatsoever. At present the stamp duty on a 200*l.* bond was 2*l.*, being 1 per cent; whilst on a 2,000*l.* bond the stamp was only 6*l.*, or 6*s.* per cent only. Here the inequality was in the wrong direction; it was not for the relief of the rich. He was not disposed to be a radical, certainly—he did not wish to set the poor against the rich, but he wished justice to be done between the parties. It appeared to him that there was no reason why a man who borrowed 2,000*l.* should pay a stamp duty of 6*l.* only, while a man who borrowed the small sum of 200*l.* should pay a duty of 2*l.* He had on a former occasion made a suggestion to the right hon. Gentleman the Chancellor of the Exchequer, which he had not taken any public notice of, as to levying a tax upon gas, which would give a large amount of revenue; and if it was essential to the public service that money should be raised, the question always must be how much money could be raised with the least general injury. He contended that whether the income were derived from land, from trade, from clerical income, or from salary as a clerk, small incomes could not bear taxation. Those who received no more than 150*l.* a year were not in a condition to pay a tax. He hoped that if the public necessity should require that this tax should be renewed at the end of the period for which it was now fixed, the Government would take care to effect some modification in the system, and that they would consider it their duty—whoever might be Chancellor of the Exchequer—to apply the burden of taxation as equally as possible, taking into their serious consideration whether they could not begin at a point much higher than that at present taken.

The CHANCELLOR OF THE EXCHEQUER: I certainly should not do that justice which I always wish to do to my hon. Friend who has just sat down, if I did not allow that any suggestion from him ought always to command my best attention; but, nevertheless, I must decline entering into all those questions of different taxes to which he has adverted. I do not think that I should be furthering the business of this House by going at length into those subjects, when the subject before us is simply the mode of imposing the income-tax. I will only refer very shortly to one of the hon. Gentleman's suggestions—that of a tax on gas. I do not think that a duty upon gas would be a very just tax; it would press greatly upon shopkeepers, and very much upon the lower description of them. Nor do I think it would produce anything approaching to the amount which its advocates suppose. Many such suggestions have been made to me—a tax upon hats, upon bells, upon opera glasses, and fifty other things, and latterly I have been told that, inasmuch as English servants have been driven out of France, I ought to extend the principle of the duty on bachelors' servants, and impose a double tax upon French servants, and a quadruple tax upon French cooks. But really so many impediments have been thrown—I do not say unfairly—in the way of the progress of this Bill, and other public business, that I am most anxious not to introduce matters foreign to the question before the House, and I shall therefore confine myself to the proposal of the hon. Gentleman (Mr. Hume). I was in hopes, after the debate on the Motion of the hon. Member for Cockermouth (Mr. Horsman), and the decision to which the House came on a former night, that we should have been spared another discussion on the same subject; but in some respects I am not sorry that the occasion has occurred, because I may avail myself of this opportunity of answering the accusation of the hon. Member (Mr. Hume), that it was utterly impossible that the Government could have considered the subject, and that it is no reasonable excuse for not proposing a modification of this tax that it would give some trouble. I can assure the hon. Member and the House that it has occupied a very great deal of our care and attention. I admit that on the first blush the proposition for a modified scale bears a very plausible appearance; but I must say, that the deeper I went into the subject, and the more consideration that I gave to it, with a view of attempting to remedy the injustice complained of, the more utterly impossible I found it to make any material departure from the present system without maxing the tax much more unjust and inquisitorial than it is at present. The hon. Member (Mr. Hume) seemed to think that the income-tax was first imposed in 1806. The tax was, in fact, imposed by Mr. Pitt towards the close of the last century, continued by Mr. Addington, continued and increased in 1806. Mr. Pitt imposed, in the first instance, a tax upon expenditure, but he found it necessary to substitute the tax upon income; he admitted at first certain partial exemptions in favour of persons insuring their lives, persons having large families, and so forth; but the result of experience was, that the exemptions led to so much fraud and evasion, that they were one after another abolished; and the shape which the tax assumed in Mr. Pitt's time, Mr. Addington's time, Lord Lansdowne's time, and Mr. Perceval's time, is precisely that which it now bears. When the right hon. Baronet (Sir R. Peel) reimposed the tax, it was, I know, most carefully considered, with a view to some modification, and the result arrived at was, that the least objectionable shape in which it could be imposed was that in which it now stands. It is said that I opposed it on the ground of its being unequal and vexatious. I am not prepared to deny that it is either the one or the other; but I always maintained the opinion that, if imposed at all, it must be imposed in this shape; and I consented to it as a tax for a limited period, in order to enable the Government to relieve the country from the pressure of other and more objectionable taxes. The hon. Member for Poole (Mr. Robinson) has referred to the plan proposed by the hon. Member for Cockermouth (Mr. Horsman), and said it was ununwise in that hon. Member to propose any plan. The hon. Member for Cockermouth acted with perfect fairness in suggesting what he considered a better scheme; and it is no light argument in favour of the present tax that in all previous instances the income tax has been imposed in this shape, and that when an hon. Member does come down and propose another plan to the House, very lucidly explaining and very ably advocating it, the objections to it are so great and so obvious that a right hon. Gentleman (Mr. Goulburn), on hearing it for the first time, is enabled to point out several which are altogether fatal to it. There are others, too, which were not stated at the time; and surely it is not an unfair inference, that it is not quite so easy, as my hon. Friend supposes, to suggest another plan less objectionable than the present. I stated the other night that in another country where an income-tax exists, it is imposed, as here, upon income, from whatever source derived. I referred to one of the States of America, where there are no aristocratical privileges, no prejudices in favour of large landed interests, to induce parties to press unfairly upon trades and professions. I have referred to the words of the law in that State — South Carolina — and I find that an equal rate of tax is imposed upon all profit and income arising from the pursuit of any trade, faculty, profession, occupation, or employment: and, so far as I am aware, there is no country where an income-tax is imposed in which it is not imposed at an equal rate upon income, from whatever source derived; which, I must say again, I think a strong argument in favour of the plan of the existing tax. And when I find the hon. Member (Mr. Hume) arguing so strenuously against the injustice of imposing the tax in this way, when the renewal of it for a short time is proposed, I am not a little surprised to find that in 1845, when, as now, a renewal of three years was asked for, he voted against Mr. Roebuck's proposal to omit professional income from the resolution, in order to subject it to a lower rate of taxation; and when the right hon. Gentleman the Member for Liskeard (Mr. C. Buller) moved a resolution declaring it to be the duty of the House to impose the tax in a form less unequal and inquisitorial, my hon. Friend not only voted but spoke against the Motion, and said—

> "He should be happy to render the tax as little onerous as possible, but the right hon. Baronet had declared that he would not allow of the alterations and improvements which had been suggested. Very well, then; if that was the case, what was the use of their bothering themselves with these discussions?"

My hon. Friend was fascinated, perhaps, like the hon. Member for Finsbury, with the manner of the right hon. Baronet. "He repeated that he was in favour of the proposition of the Government as a whole." Let my hon. Friend do as he then did, and give us the benefit of the same support as he gave to the Government of the right hon. Member for Tamworth. I will now, Sir, state some few of the reasons which induce me to think that it is not possible to modify this tax to any extent, so as to meet the views which have been stated by the hon. Member for Montrose and others to the House. It has been stated, that it is the easiest thing in the world to capitalize income; that the actuary of any insurance office will do it for you at once, and tell you at what rate the tax should be laid upon it. But just let us consider what sort of proceeding we are talking about. A person goes to an insurance office to insure his life, and the first step taken by the company is to send for their physician and surgeon and investigate the state of his health. When you have ascertained a man's income and the probable duration of his life, you may capitalize his income, by multiplying the amount of his income by the number of years which he may probably have to live; then you may assume a given rate of interest—say four per cent—upon the capital so ascertained, and tax him on this interest as his annual income. This is what is really meant by the proposal. In theory this is exceedingly simple; but I am not very sure that if gentlemen who pay the income-tax are to undergo, in addition to the inquisition into their circumstances, an investigation of the state of their health, and appear before medical officers "to be surveyed," the proposition would be so excessively popular. This inquisition must take place every year, because a man's health and income may vary from year to year. Every year of a taxpayer's life, therefore, he must undergo a double inquisition—first, with respect to his health, and then with respect to his circumstances. It would be necessary also to extend the inquisition to persons having only a life interest in landed property, for the value of such interest must vary according to the state of health of the parties possessing it. I do not think that persons liable to the tax would ever consent to so odious and irritating an investigation as this scheme would entail upon them; and, however simple the theory may be, I am convinced that the attempt to carry it into effect is altogether impracticable. I will now advert to another proposal, also very simple, that of imposing a higher rate per cent on the schedules containing realised property —Schedules A. and C. I will not again refer to the argument, which Mr. Pitt so strongly urged, that it would be a breach of faith with the public creditor to impose a higher tax on money invested in the Funds than on that invested in any other mode. I wish to meet the argument in the fairest way, and I will therefore take what is always put forward as the strongest case of inequality, the alleged injustice of levying the same rate per cent on trades and professions under Schedule D. as upon land under Schedule A. Now when we are called upon to tax incomes arising from land and houses, and property of this description, at a higher rate than other incomes, I must beg the House to bear in mind the heavy burdens to which that description of property is exclusively subjected. I hold in my hand a letter, written by a Suffolk clergyman, which describes in forcible language the inordinate pressure of local taxation upon landed property. The rev. gentleman refers to his own income from tithe rent-charge of 450*l.* a year, which pays 104*l.* annually in local and general taxation; and he contrasts the case of the possessor of that property with that of several persons deriving their incomes from trades or professions, living in the same parish, who, he contends, do not pay anything like a proportionate amount of taxation. My correspondent calls upon me to exempt the persons in Schedule A. from an amount of income-tax proportionate to the local burdens imposed upon them. I may mention that the whole amount of local taxation falls exclusively on Schedule A., and it amounts to no less a sum than 8,250,000*l.* annually. Persons paying income-tax under Schedules C and E are not rateable. Occupiers of land under Schedule B, it is well known, in point of fact transfer the burden of their rates to their landlords: and the parties paying income-tax under Schedule D are exempted from rating on their stock-in-trade by an annual Act. The whole, therefore, of this heavy burden falls exclusively on Schedule A; and this ought not to be forgotten when it is proposed to add still further to the taxation upon them. Nor are all persons paying under Schedule A so well off as Gentlemen seem to imagine. A large number of persons in Schedule A are comparatively in a worse position than those in Schedule D. Take the case of a poor widow with three or four children whose income of 150*l.* a year is dependant on her life; does not every argument employed by those who object to the present arrangement of the tax, respecting the necessity of insuring her life and of making provision for children, apply with equal force to her case? Would not the widow in these circumstances be in a worse position than a young and healthy shopkeeper making clear profits to the same amount? Now let us compare the situation of two persons paying the same amount of tax. Let us take the case of two gentlemen, one in Schedule A, and the other in Schedule D, each paying income-tax to the amount of 30*l.*, which implies the possession of an income of 1,000*l.* The gentleman in Schedule A derives his income from land, and the tax is taken from his tenants by the collector in the first instance. No deduction is made on account of the expenditure made on the estate—an expenditure which is absolutely necessary to keep up the income. It is immaterial whether the landlord gets his rent or not; the income-tax must be paid. There are many Gentlemen in this House who are able to state what per centage should be put upon an estate for repairs, which is, of course, to be deducted from the amount of rent reserved. The lowest amount at which I ever heard this per centage fixed was ten per cent; other estimates carry it as high as thirty per cent. The result of my own experience, corroborated by the information which I have received, leads me to believe that I shall not overstate the amount of the deductions to be made from rent, under the head of repairs, and necessary expenditure of one kind or another, borne by the landlord, at twenty per cent on the whole. If that be correct, it is evident that a man who pays 30*l.* income-tax for a nominal rental of 1,000*l.*, puts in his pocket only 770*l.* The man who pays under Schedule D, however, deducts for repairs, for charges of management, and for losses in trade; and, before the tax is assessed upon him, he has a clear net income, after all deductions, of 1,000*l.*, and after paying the tax has 970*l.* a year to spend. I think that the 200*l.* a year which the taxpayer in Schedule D enjoys beyond him who pays in Schedule A, is a sufficiently liberal allowance for the purpose of providing for children by insurance of life, and those other considerations which are put forward as the ground for a lighter per centage on this schedule. Take another view of the question. I will, for the sake of argument, admit that a higher per centage of income-tax should be paid by incomes derived from realised property than by those arising from trades and professions; but then the possessors of the former class of incomes would be entitled to demand two things—first, that deductions should be made for repairs; and, secondly, that the persons deriving incomes from trades and professions should actually pay whatever amount of tax they are justly liable to pay. It is impossible for any person who looks at the returns moved for by the hon. Member for Dartmouth not to see that the sum collected under Schedule D does not fairly represent the amount of tax that ought to be paid by trades and professions. I never was more astonished in my life than when I looked into that return. It appears from that document that in the whole of Great Britain there are only 111,000 persons who pay income-tax under Schedule D for incomes of 150*l.* and upwards. It must be recollected that Schedule D includes not only all professional men, and all persons engaged in trade, but all persons deriving incomes, from property in Ireland, in the colonies, and in foreign countries. But assuming that the schedule included only professional men, and persons engaged in trades, does any man believe that there are only 111,000 of these classes in Great Britain? Does anybody believe that there are not more than that number in this great metropolis alone? I have been told by a gentleman that he knew one establishment in which seventy clerks were employed, each of whom received an income above 150*l.* a year. If the return be analysed, the results are still more extraordinary. It appears that there are only 9,000 persons in Great Britain who derive incomes exceeding 1,000*l.* a year from professions and trades. Can any one believe that? Why, it is notorious that, with the exception of a very few landed proprietors, the great amount of wealth in this country is to be found amongst the manufacturing and commercial classes. Those who can believe that there are only 9,000 persons following professions and trades who possess incomes exceeding 1,000*l.*, must have a larger share of credulity than I have; and I am sure that every one who hears me will allow that this is perfectly incredible. We are told that the tax presses severely upon the great body of small tradesmen, but that is equally disproved by this return; for I find by this return that whereas the whole amount derived under Schedule D is 1,600,000*l.*, the sum of 775,000*l.*, or very nearly one half, is paid by persons having incomes above 1,000*l.* It cannot, therefore, press very hardly upon the 102,000 persons who have incomes below that amount. Gentlemen may say that this proves a very considerable amount of fraud and evasion. No doubt it does, and how is that to be remedied? The only remedy is by making the inquisition into every man's circumstances more searching and rigorous than it is, in order to ascertain the real amount of his income. If the parties under Schedule A, whose property cannot escape, are to be saddled with a higher rate, it is only common justice to them that parties under Schedule D shall be fairly assessed on the real amount of their profits, whatever rate per cent be imposed upon them. The same necessity for inquisitorial power exists whatever the rate of taxation may be; and it is obvious that if we are to do justice, it would be necessary to render the investigation much more inquisitorial as regards Schedule D, for no one can believe that a fair return of income is now made under that head. The inquisition which would be necessary in this case would be so rigid, that I believe the country would not bear it. My belief is, that the parties who pay under Schedule D object more to the inquisitorial character of the tax than to its amount; and, therefore, if by any alteration for whatever purpose you render it more inquisitorial, you increase the evil chiefly complained of; and my firm conviction is, that if such an attempt were to be made, the feeling throughout the country would be so strong, that it would be perfectly impossible to maintain the tax. It is upon Schedule D that the inquiry into the circumstances of the party presses. I am quite content that the inquisition into men's circumstances should not be rigorously exercised. It evidently is not so at present, if you take the whole class, although there may be individual cases of hardship. This can be no longer permitted, if we are to attempt to attain what the hon. Member for Montrose and others advocate as a more just apportionment. My own belief is, without pretending that there is not some inequality, that the present mode of levying the tax is upon the whole the fairest and least objectionable shape in which it can be imposed; and I have been more and more confirmed in that view, the more I have considered every plan which has been suggested for its alteration. I hope, Sir, that by what I have stated, I have succeeded in convincing the hon. Member for Montrose that whether he may think us right or wrong in upholding the existing apportionment of the tax, we have not come to that determination without due consideration. I opposed the tax when it was originally proposed, because I thought that it ought to be accompanied with alterations in the corn, sugar, and timber duties; but those alterations having now been effected, and there still being a considerable deficiency of income, I am perfectly consistent in supporting the tax now, for the purpose of supplying that deficiency. The Gentlemen who oppose the existing arrangement of the tax, frequently quote Adam Smith in support of their views. I remember the right hon. Baronet the Member for Tamworth once said that the - come-tax was more consonant with Adam Smith's canons respecting taxation than any other tax he knew of. Adam Smith laid down four canons on the subject of taxation; and Gentlemen who take the same view of this subject as the hon. Member for Montrose always quote one of the canons for the purpose of showing that every man should be taxed according to his ability to bear taxation, and they interpret ability as being the amount of capital he may possess; but that is not what Adam Smith has laid down. I will read Adam Smith's words, and it will be seen that, instead of supporting the opinions of the hon. Member for Montrose upon this subject, they confirm the view which the present and all preceding Governments have taken of it. Adam Smith says—

> "The subjects of every State ought to contribute towards the support of the Government as nearly as possible in proportion to their respective abilities."

There Gentlemen are accustomed to stop, but the writer proceeds—

> "That is, in proportion to the revenue which they respectively enjoy under the protection of the State."

It will not be asserted that persons engaged in professions and business do not enjoy an equal amount of protection with those who hold landed property. The protection to life is evidently the same; and I am inclined to think that the property of persons in trade requires and receives more expenditure for its protection than is needed for landed and similar property. I will not pursue this argument further; I will only say generally that persons paying under Schedule D do not suffer that injustice which is complained of, whether you compare individuals or classes; and I believe that any attempt to modify the scale of taxation would only render the tax so odious, by augmenting its inquisitorial character, that it would be impossible to maintain it, on account of its extreme unpopularity.

Mr. J. CLAY said, he would not have broken that silence which he was convined was the most acceptable token of respect which a new Member could pay to the House, but that he was anxious to explain why, on this subject, he had already voted, and why to-night again he should vote in opposition to an Administration with whose general policy he concurred. He had great confidence in the Government—he believed that they were able and willing to uphold the interests and honour of the country, both at home and abroad; but if there was a point on which neither the present nor any former Parliament had inspired him with implicit trust—if there was a point on which a very large party in that House distrusted the present Administration—nay, more than that, if there was a point on which the country distrusted the present House of Commons, it was on matters concerning finance, retrenchment, and economical government. He felt sure that the country was determined on having a severe and serious revision of every item of public expenditure; beginning with those of the most formidable amount, and finishing with the paltry 7,000*l*. for the ornamental damp in Trafalgar-square. It was not, however, to the amount of income-tax, or to the time for which it was required, to which he made objection. He was in favour of direct taxation, and he believed that a tax of this kind would ultimately be, or ought to be, a permanent tax; for if a system of retrenchment should leave the Exchequer a surplus, he believed it would be a wiser course to lessen still further taxation upon articles of consumption, than to reduce the amount receivable from the present tax. His objection was to the form of the tax now proposed, to its inequalities, and to its injustice. Much had been said as to the difficulty of calculating exactly the different proportions which were to be paid by the different interests which this tax affected; but he could not understand that any such calculation presented an insuperable or even a formidable difficulty. It might be impossible mathematically to distinguish the proportions; but because the right hon. Gentleman had proved that everything could not be done, he had not therefore proved that a great deal might not be done. If the country only saw an honest endeavour on the part of the Government to smooth away the grossest inequalities, and to redress cases of the greatest injustice, he was convinced they would be satisfied. The right hon. Baronet had dwelt particularly on the extra amount for taxation which persons coming under Schedule A had to pay, in consequence of the great burden of local taxation falling exclusively upon them. It might be so; but the answer to that was, that that state of things existed before the imposition of the present tax, and no complaint being made against it, he had a right to assume that it was a just distribution of the taxes at that period; any additional tax, therefore, ought to be distributed in a just proportion to the different sources—varying as they did very greatly in their value—from which the incomes to be taxed were derived, irrespective of any previous charge to which the parties might be subjected. The right hon. Baronet had expressed his astonishment at the small amount of revenue derived from Schedule D; and he threw out an insinuation that the tax falling under that portion of the Act was dishonestly withheld. It might be so, but that was the fault of the machinery. It did not satisfy him to tell him that a tax was so oppressive that the people sought to evade its payment. Subject them only to a fair proportion, and if it were not paid, the country would not object to any inquisition which was necessary to secure honesty. The inequalities of the tax pressed mostly on the middle classes. He hoped he should not be taken to task by hon. Gentlemen on the Opposition benches, for hinting at the possibility of legislation for or by the middle classes. He well recollected his hon. Friend the Member for Buckinghamshire (Mr. Disraeli) giving to the House certain statistics, the result of which showed that an enormous majority of the dividend warrants issued by the Bank of England was for sums under *5l.* and *10l.*, and that the income derived from land by its holders was about, on the average, *170l.* a year. This most satisfactorily proved to him that the whole of this country, so to speak, was the middle class; that with some grievous destitution, on the one hand, and with some overgrown and gigantic fortunes on the other, the great mass of the population of this country was properly to be called the middle class. He confessed that after this statement of his hon. Friend, he was surprised to hear from him an eloquent but indignant protest against legislation by the middle classes. God forbid that he (Mr. J. Clay) should defend class legislation in the sense that one class was to legislate for its own benefit, at the expense of the interests of other classes! but, surely, if legislation was to be in the hands of any one class, justice would rather delight to see it in the hands of those who were as thousands to one, than in the hands of those who were as one to the thousand. An argument had proceeded from a quarter entitled to the highest respect, to this effect, that as the income-tax was a substitution for other taxes which pressed equally on all incomes, from whatever source derived, there was no reason why that tax should not do so also. The taxes referred to were those on articles of consumption; but was there a law to oblige a professional man to consume as many taxable articles as a man whose income, of the same amount, was derived from landed property? The right hon. Baronet the Member for Tamworth, whose argument he (Mr. J. Clay) was now quoting, instanced the window-tax, which he said pressed alike upon everybody; but was there any law to compel a professional man to live in as large a house as the man of landed estates? There never had been a tax, except the income-tax, which pressed alike on all incomes, unless, indeed, he went back to the time of Richard II., who imposed a poll-tax. He did not recollect who was the Chancellor of the Exchequer at that day; but he did recollect that that tax was the cause of a rebellion. He was far from anticipating any such consequence from the present tax, as he had no fear of seeing a second Wat Tyler in the person of his hon. Friend the Member for Montrose; but his conviction was that this tax must either be abandoned, or its present form must be altered. He, therefore, appealed to the noble Lord at the head of the Government that he would yet again take into consideration whether something might not be done to alter those inequalities, and to redress that injustice of which the country complained.

Mr. TRELAWNY would vote against the Motion of the hon. Gentleman the Member for Montrose. He believed that the pressure of the income-tax, whether just or unjust, was analogous to that of all kinds of taxation. The hon. Member for the West Riding of Yorkshire had shown the House how disproportionately heavy was the share of customs and excise duties which fell upon the poor compared to the rich man, and the income-tax went upon the same principle. If it was a wrong one, then let there be a general revision of taxation. He held, however, that under present circumstances, and in the present state of the public mind, it would not be advisable to remit this tax, but to continue to exact it, at least until a fair trial had been given to the late commercial measures of relaxation.

Mr. SHARMAN CRAWFORD said, that no opponent of the income-tax had made out so strong a case against it as had the right hon. Gentleman the Chancellor of the Exchequer himself. That right hon. Gentleman had proved that in every way Schedule D was loaded with injustice. He would therefore urge the hon. Member for Montrose not to give even that sanction to the measure which was implied in his Motion, but to divide upon the main question, and to refuse to go into Committee at all.

Mr. J. BONHAM CARTER would oppose the Motion of the hon. Member for Montrose. The country, in opposing the tax, was hardly aware of the difficulties of the Government, and at the same time took an exaggerated view of the injustice and inequality of the impost; but at any rate, whatever might be the opinion of the country, this was not the proper time to refer to a Select Committee a tax which was absolutely needful for the preservation of the public credit. He thought that reference had been too freely made to extreme cases as showing the injustice and inequality of the tax; and under all the circumstances of the case, he should not consider that he was justified in supporting the Motion of the hon. Gentleman.

Mr. URQUHART said, that this was a subject to which he had long devoted his most anxious attention, upon which he had the most settled conclusions, and which he had urged, while as yet the distinction between direct and indirect taxation was unknown in this country. He conceived that mistake upon this subject was the most fatal that a Government could commit, and that sound maxims upon it were necessary for the well-being of any people or the permanency of any system. They were now upon a great experiment. They were making a trial of the two systems; and he must say they were giving to direct taxation a most unfair trial. Would not the wise and proper course have been, in such a matter, to separate such a question from all others—to deal with it on its own merits—and, while excluding that which was extraneous, to take it up in all its parts? The reverse was the course which had been followed. It was introduced as a claptrap urged on the plea of necessity, frittered into discussion on details, and cast as a bone of contention to conflicting interests and prejudices. At one moment it was mixed up with national defences; at another with deficiency of revenue; at another with the peculiar defects of the operation of the income-tax, and with the consequences and expediency of commercial treaties and reductions of customs duties. The result had been an inextricable jumble of all these questions, whence unceasing and profitless debates. The question ought to have been at once boldly faced and absolutely determined, whether they were to continue the old system, or adopt a new one; or rather, he should say, whether they should cling to the aberrations of modern times, or resort to the old rule—the only just and constitutional rule—of laying the burden where alone it could be borne—on the property of the country. By this income-tax, in which they imagined that they were having recourse to direct taxation, they were disqualifying themselves from judging of the system; and the reason for which he had risen on the present occasion was simply, but emphatically, to protest against a scheme like this being considered a trial. Such a trial required two conditions: first, that a property-tax should not be super-imposed upon a system of indirect taxation, which served but to combine the objectionable parts of both; secondly, that the tax should be collected, not by a centralised system, and not by Government officers, but by the people themselves, and as they themselves judged fit. It was no theories which he propounded; he spoke from positive knowledge of the countries where such a state of things existed, and where alone that experience could be obtained which might serve England in this moment of chaos, and in the shipwreck of all her systems and all her theories. The hon. Member for Hull had referred to the resistance under Richard II. to the poll-tax; but the hon. Gentleman was little informed on that matter, and he (Mr. Urquhart) begged to assure him that there was no disposition in the people of that day to resist the poll-tax as a form of taxation, nor even indeed the tax because of its amount: but that the rebellion was directed against the new method of Government collection which had been then introduced. He would support the Motion of the hon. Member for Montrose—not that that Motion would effect or accomplish any of the objects which he (Mr. Urquhart) had in view, but merely as calculated to set the question afloat in that House and out of it. Before that House could attempt or at least accomplish the proposed alteration, it would have a grave decision to take of another kind. It would have to make up its mind to sacrifice some portion of its ill-got power, and to distribute back again some of those means of government which it had drawn into its own hands, only to misuse or destroy. They must relieve themselves from this congestion on the brain—this pressure of business which disqualified them alike from act and from judgment. They must restore to the members of the politic body somewhat of the circulation and vitality which were requisite alike for the protection of the members and for the freedom of the head. Then alone could they be intellectually in a condition to reason to a just conclusion, and materially in a condition to put it in execution. If ever there was a moment propitious for such a change, it was the present, alike from the necessities pressing from within, and the example presented from without: he might say warning, rather than example. There were before us the wrecks and the shoals upon which they had been broken—the systems of centralisation—that centralisation which had come as a delusion, and vanished as a dream. Built up with care they had been broken without hands—they had fallen without warning in the hour of their strength from the acmé of their power. These events presented facilities of another kind. The income-tax was only required, and an equal amount of other taxation was only kept up, to meet the increase of military expenditure which had taken place since 1835. There could now be no pretext of any kind for such armaments; no one could now say that there was a reason for them; and most unreasonable would it be to deny that a reduction at this moment could have any other effect than that of securing the peaceable disposition of our neighbour by exhibiting and proving our own. He would conclude by repeating the warnings he had already given. They could not super-impose direct taxes as a load on the back of customs and excise, nor could there be any useful or even practical system of direct taxation, except working through the local and municipal bodies.

MR. MITCHELL said, it was a most extraordinary argument for the Chancellor of the Exchequer to use, that because the tax was greatly evaded at present, therefore it ought to be continued. He could not believe, any more than the right hon. Gentleman, that the income-tax leviable under Schedule D was paid by all the parties who were liable to it; but what consolation was that to those who did pay the tax, and who felt that it pressed upon them with undue severity? If the right hon. Gentleman believed that the tax was evaded to any great extent, let him take measures to enforce its better collection; but let him not make that an argument for continuing its present injustice. Being connected with trade himself, he had as much reason as any one to dislike the inquisitorial operation of the tax; but he would much rather undergo that inquisition than suppose that a large portion of his fellow-traders evaded the tax who ought to pay it. The right hon. Gentleman had also gone into an extraordinary calculation with reference to the net incomes of two persons, who each derived 1,000*l*. a year—the one from land, the other from trade—and had shown that in order to place the two on a footing of perfect equality, the tax, in the case of the former, should be levied on 770*l*. only, owing to the expense of repairs, charges of management, and cost of collections, for which no allowance was made at present. Now, this was rather an extreme case; but he would admit that the tax should be levied only on 770*l.*, and he would say broadly, that upon the same principle, the tax, in the case of the trader, should be levied upon 500*l.* only, and for this reason:—According to the dictum of the right hon. Gentleman the Member for Tamworth the income-tax had been imposed as a substitute for other taxes which had been or were to be taken off from parties having incomes. Now a man who had a net income of 770*l.* a year from land was in a position which enabled him to spend all this; and, therefore, as he had formerly paid indirect taxes upon this sum for articles the duties upon which were now removed, he might fairly be called upon to pay the direct tax which had been imposed in their place. But the man who derived 1,000*l.* a year from trade was not justified in spending more than one half of his income; and, therefore, upon the principle he had just stated, should not be taxed upon more than 500*l.* The case of the professional man was still stronger than that of the trader, because the trader, supposing him to be in bad health, might, from the extent of his connexions, and the amount of his capital, continue to derive an income from his trade, notwithstanding; but when the professional man became ill, his income entirely ceased. He must say that he was exceedingly displeased at the course taken by Government on this question. During all the time he had sat in Parliament he had never given a factious vote on any question; but in this case he considered that a gross injustice was done to all those persons included in Schedule D, and he must oppose it, however reluctantly. The impression which prevailed out of doors with reference to the Government was, that they would not bring forward any measure which they believed would not have the approbation of the right hon. Gentleman the Member for Tamworth. That right hon. Gentleman had brought forward the income-tax in 1842, at a time when he had a large majority in that House; and, that majority being principally composed of the landlord class, the right hon. Gentleman probably supposed that he could not carry any other tax. The right hon. Gentleman had, therefore, pinned himself to this tax, and the impression was that the present Government had agreed to its reimposition because they were not strong enough to bring forward any other. There were at present only two parties in that House—the gentlemen on the Treasury bench, and those who were the followers of the right hon. Gentleman the Member for Tamworth. These two parties settled what measures should be brought forward, and no other person had any chance whatever of carrying anything. He believed that the income-tax, in its present unjust form, could not be continued beyond three years; and he feared that by persisting in their present scheme the Government were endangering the system of direct taxation, which he, for one, had always cordially supported, and would continue to support.

Mr. NEWDEGATE proceeded to say that it had not been his intention to speak on the question, but that having listened attentively to the arguments which had been used against the proposition of Government, he thought hon. Members who had spoken in favour of the Amendment had completely contradicted each other. The hon. Member for Montrose objected to the tax because it was under the direction of commissioners appointed by the nation, who might be supposed to have some interest in its operation; but he could not suppose this would have much weight with the House. The Chancellor of the Exchequer admitted that every landlord was taxed on 20 per cent more than he received, on account of the outlay to which he was subject; but the right hon. Gentleman had proposed no feasible plan for remedying this injustice. He wished the House to observe that men of every shade of opinion, and representatives of every interest, with the sole exception of the landlords, had objected to this tax, while they were the most heavily burdened and had to pay the largest share of the tax. He would ask the House what other conclusion indifferent persons could draw from these debates, than that direct taxation was so invidious that they would always find objections to it? He would ask them whether they had ever known a case where indirect taxation had met with such violent opposition, and from such different quarters, as had been excited against the present propositions to which they had been driven by the necessities of their exchequer? He begged to protest against its being supposed that in voting for this tax for three years, he approved of it as a permanent impost; and he warned the Government to look to the discontent which prevailed throughout the kingdom on the subject of the tax, and not to entertain the shadow of a belief that they could ever render it permanent.

MR. HORSMAN said, that he, for one, could see no practical advantage in the Motion of the hon. Member for Montrose. Concurring with that hon. Member in the wishes he had expressed regarding a modification of the tax, he still could not help feeling that that question had, after due deliberation, been already decided by the House, and he had no reason to expect that the House would be induced to change that decision. His views remained the same as he had formerly expressed; but he could not help remembering that both the noble Lord at the head of the Government and the right hon. Gentleman the Chancellor of the Exchequer had distinctly told them that they had given the subject their best attention, and that the decided conviction on their minds was that the injustice and inequality of the tax could not be remedied. He had not in the slightest decree changed his opinion; but at the same time he felt that it would be presumptuous in him to insist upon his view being carried out in opposition to that of a majority of the House. Having trespassed so long upon the House on a former occasion, he had during the subsequent debates refrained from speaking upon this question, feeling as he did that it had been virtually decided by the House, and that it was more becoming in him to consider what was due to the sense of the House than what was due to himself. As the hon. Member for Liverpool (Mr. Cardwell), however, had published a letter to his constituents in which he stated that he was prepared to show that the plan he (Mr. Horsman) proposed would make the injustice of the tax greater than before—that it would make it more offensive, and would not in any degree remedy the inequality that existed, perhaps he might be allowed to make a single observation on that point. There never was a more unfounded statement than that made by the hon. Gentleman; and he challenged him to produce a single class of cases which would in any degree bear him out in making it. The noble Lord had said that the landed proprietors would oppose the addition to the tax which he proposed, as respected them. But what was that addition? Only a penny in the pound. And he was satisfied that if such a proposal was believed by them to be accompanied with what was beneficial for the country at large, they would not oppose it. He was favourable to direct taxation, and therefore he wished to see the income-tax improved, in order that it might be made permanent. But having already submitted a proposition for equalisation to the House, with an unsuccessful result, he was not prepared in the present state of the question, to offer any further opposition to the income-tax. He thought they might do better service to the country by applying themselves to the great subject of the revision of the existing system of taxation—a task for which a great and comprehensive plan was necessary, and which could be undertaken with effect only by the Government. He hoped that Ministers would address themselves to it with a view to accomplish a settlement of the question in the course of the next two or three years; and if they did so, he believed they might reckon with confidence on the co-operation of the House.

MR. CARDWELL thought the House would perhaps expect him to say a few words, after the extraordinary and formal challenge which he had received from the hon. Member who had just sat down. He had on a former evening taken the opportunity to say a few words on the plan of the hon. Gentleman with regard to the income-tax; and if he did not then convince him that there was such a class of cases as the hon. Member had now challenged him to produce, he hoped he might succeed in doing so on the present occasion. He told the hon. Gentleman that they were discussing, not an abstract principle, but a specific plan; and he did not confine himself to general grounds of objection, but stated two special grievances which would arise under that plan, as instances of its practical operation. The hon. Gentleman, in making the distinctions of payment which he proposed, followed the schedules of the Act of Parliament; and according to his scheme the hon. Gentlemen would have taxed an income, not according to the interest the individual might have in it, but according to the source from which it arose. If the source were in its nature permanent, then the individual was to pay the higher rate; and he (Mr. Cardwell) went on to show that the source might be permanent, and the interest of the individual terminable and fleeting. He supposed the case of a widow with a small annuity of 160*l*. secured on land or secured in the public funds (both permanent sources), but in which she had only a terminable interest, out of which, if she wished to leave anything behind her, she must make an annual saving; and he showed that, according to the scheme of the hon. Gentleman, that widow would have to pay the higher rate. [Mr. HORSMAN: Certainly not.] He would do the hon. Gentleman the credit to believe that such was not his intention; but he was in the judgment of the House if such would not plainly have resulted from the scheme the hon. Member had brought forward; and he would ask if they were to be condemned for refusing to adopt a plan that would have such an effect, merely because the hon. Member who made the suggestion did not himself perceive what would be its consequences? He also would contend, as he had already done, that the only conceivable means by which they could ascertain what that widow ought to pay was to have a public inspector, whose duty it would be to ascertain from the widow personally what particular interest she had in the amount on which she paid; a course that, he observed, would add immeasurably to the disclosure and to the expense. But he did not rest his objection on one case. He stated the case of a trader who was carrying on his business partly with his own and partly with borrowed capital; and he showed that under the proposed plan, by which the borrowed money paid at the rate of 8*d.*, the other portion of the capital paid 6*d.* in the 1*l.*; by the present system both paid 7*d.*, and the borrower adjusted his own account with the lender by deducting 7*d.* from every 1*l.* of the interest: and there was no disclosure of these facts to the Government official. But if the trader was to return 6*d.* upon one part of his capital, and 8*d.* upon another, there must be a full disclosure of all these matters. He apologised to the House for repeating these statements; but having before made them, he must say he was surprised at the boldness of the hon. Gentleman in giving the challenge which he had that night thrown out. With regard to the Motion of the hon. Gentleman, no person could be more desirous than he was to see the tax levied in a manner that would make it fall equally and least offensively upon the community. He was not at all conscious that in anything he had said he could fairly be charged with making unfounded statements; and with regard to the Motion now before the House, he considered the question to be, not whether they should inquire into this subject generally, but whether they should delay a measure that they had already declared by repeated and large majorities to be essential to the public credit, in order that such an inquiry should be instituted. With these convictions he should consider himself guilty of pusillanimous conduct, if he hesitated to oppose the further delay of this measure.

MR. HORSMAN had been completely misunderstood in what he had stated to the House on a former occasion. The hon. Gentleman said that he proposed to tax an annuity at the highest rate. Now, that was just one of the cases he had stated that he would tax at the lowest rate; and he had not only stated it so in his scale of duties, but had referred to it in his speech as one that showed the hardship of the present system. He stated that the highest rate of charge was only to be imposed on the classes having realised property, and property descending to their heirs; and that every kind of annuity was to go into the lowest rate of charge. He was, therefore, really at a loss to know why the hon. Gentleman should persist in the statement he had made.

MR. GOULBURN had not the least doubt, after what the hon. Gentleman had said, that it was not his intention that his plan should operate as had been described; but his hon. Friend and himself had addressed themselves to his statement as they really found it; and certainly there was nothing in his speech that showed that under Schedule A income from land was not to be charged 8*d.*, while in the other schedule the lower duties were to be imposed. If the hon. Gentleman had not read the Act from which he took the schedules, and which showed that a widow's jointure, if derived from land, was put in Schedule A, and paid the highest rate—if he had not acquainted himself with that circumstance—surely it was no fault of those who opposed his plan.

MR. ANSTEY thought that taxes ought no longer to be levied by the Treasury, and collected by a tax-gatherer appointed by the Ministry; but that, in place of that system they should resort to the old policy of their forefathers, and assess taxes in every locality under the residents for the supplies that should be required from that locality.

House divided on the question that the words proposed to be left out stand part of the question:—Ayes 284; Noes 73: Majority 211.

List of the AYES.

Abdy, T. N.
Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Aglionby, H. A.
Alexander, N.
Anson, hon. Col.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bailey, J.
Baillie, H. J.
Baldock, E. H.
Baring, T.
Barrington, Visct.
Barron, Sir H. W.
Bateson, T.
Bellew, R. M.
Bennet, P.
Beresford, W.
Berkeley, hon. Capt.
Bernal, R.
Bernard, Visct.
Birch, Sir T. B.
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Brand, T.
Briscoe, M.
Broadley, H.
Brockman, E. D.
Brotherton, J.
Browne, R. D.
Bruce, C. L. C.
Bulkeley, Sir R. B. W.
Buller, Sir J. Y.
Buller, C.
Bunbury, W. M.
Bunbury, E. H.
Burghley, Lord
Burroughes, H. N.
Busfeild, W.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Castlereagh, Visct.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cavendish, W. G.
Cayley, E. S.
Chaplin, W. J.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Christy, S.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Coke, hon. E. K.
Cole, hon. H. A.
Colebrooke, Sir T. E.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Copeland, Ald.
Courtenay, Lord
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Cubitt, W.
Currie, H.
Damer, hon. Col.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Deedes, W.
Disraeli, B.
Dod, J. W.
Dodd, G.
Douglas, Sir C. E.
Drumlanrig, Visct.
Duff, G. S.
Duncan, Visct.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
Ebrington, Visct.
Edwards, H.
Egerton, Sir P.
Egerton, W. T.
Ellice, rt. hon. E.
Ellice, E.
Elliot, hon. J. E.
Estcourt, J. B. B.
Evans, W.
Farrer, J.
Fellowes, E.
Ferguson, Col.
Ferguson, Sir R. A.
Filmer, Sir E.
FitzPatrick, rt. hon. J.
Foley, J. H. H.
Forbes, W.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
French, F.
Frewen, C. H.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Glyn, G. C.
Gordon, Adm.
Goring, C.
Goulburn, rt. hon. H.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Guest, Sir J.
Hallyburton, Lord J. F.
Hamilton, Lord C.
Hardcastle, J. A.
Harris, hon. Capt.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Heald, J.
Heathcoat, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Herries, rt. hon. J. C.
Heywood, J.
Hildyard, R. C.
Hildyard, T. B. T.
Hodges, T. L.
Hollond, R.
Hood, Sir A.
Hope, Sir J.
Horsman, E.
Hotham, Lord
Howard, hon. C. W. G.
Hutt, W.
Ingestre, Visct.
Inglis, Sir R. H.
Jervis, J.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Keppel, hon. G. T.
Ker, R.
Knox, Col.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsey, hon. Col.
Littleton, hon. E. R.
Loch, J.
Locke, J.
Lockhart, W.
Lygon, hon. Gen.
Mackenzie, W. F.
Macnamara, Major
M'Cullagh, W. T.
M'Gregor, J.
M'Naghten, Sir E.
M'Neill, D.
M'Taggart, Sir J.
Mahon, The O'Gorman
Mangles, R. D.
March, Earl of
Marshall, W.
Masterman, J.
Matheson, A.
Matheson, J.
Matheson, Col.
Maxwell, hon. J. P.
Melgund, Visct.
Moffatt, G.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Morison, Gen.
Mulgrave, Earl of
Mundy, E. M.
Mure, Col.
Napier, J.
Newdegate, C. N.
Norreys, Lord
Nugent, Sir P.
O'Brien, Sir L.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Oswald, A.
Packe, C. W.
Paget, Lord A.
Paget, Lord G.
Palmer, R.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pennant, hon. Col.
Philips, Sir G. R.
Pinney, W.
Plowden, W. H. C.
Powell, Col.
Power, Dr.
Power, N.
Pusey, P.
Rawdon, Col.
Renton, J. C.
Repton, G. W. J.
Rice, E. R.
Rich, H.
Rufford, F.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Scott, hon. F.
Seymer, H. K.
Seymour, Sir H.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smyth, J. G.
Smollett, A.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stafford, A.
Stanley, hon. E. J.
Stansfield, W. R. C.
Stanton, W. H.
Strickland, Sir G.
Stuart, H.
Sturt, H. G.
Tenison, E. K.
Tennent, R. J.
Tollemache, hon. F. J.
Townshend, Capt.
Traill, G.
Trelawny, J. S.
Tynte, Col. C. J. K.
Tyrell, Sir J. T.
Vane, Lord H.
Verner, Sir W.
Verney, Sir H.
Vivian, J. H.
Vyse, R. H. R. H.
Waddington, H. S.
Walpole, S. H.
Ward, H. G.
Watkins, Col. L.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Willcox, B. M.
Williamson, Sir H.
Wilson, J.
Wood, rt hon. Sir C.
Wyld, J.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Alcock, T.
Anstey, T. C.
Barkly, H.
Barnard, E. G.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Blewitt, R. J.
Bowring, Dr.
Bremridge, R.
Bright, J.
Brown, H.
Cabbell, B. B.
Clay, J.
Clay, Sir W.
Clifford, H. M.
Cobden, R.
Crawford, W. S.
Dashwood, G. H.
D'Eyncourt, rt. hon. C.
Duke, Sir J.
Duncan, G.
Evans, Sir De L.
Ewart, W.
Fagan, W.
Fergus, J.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Gooch, E. S.
Granger, T. C.
Greene, J.
Gwyn, H.
Hall, Sir B.
Hastie, A.
Headlam, T. E.
Henry, A.
Hindley, C.
Hobhouse, T. B.
Humphery, Ald.
Kershaw, J.
King, hon. P. J. L.
Lushington, C.
Martin, J.
Mitchell, T. A.
Morris, D.
Mowatt, F.
O'Connor, F.
Pearson, C.
Pechell, Capt.
Perfect, R.
Pigott, F.
Pilkington, J.
Raphael, A.
Ricardo, O.
Robartes, T. J. A.
Roche, E. B.
Salway, Col.
Scholefield, W.
Smith, J. B.
Spooner, R.
Stuart, Lord D.
Sullivan, M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Turner, G. J.
Urquhart, D.
Wakley, T.
Walmsley, Sir J.
Wawn, J. T.
Williams, J.
Wood, W. P.

TELLERS.

Hume, J.
Robinson, G. R.

The House again divided, on the question "that the Speaker do now leave the chair:"—Ayes 323; Noes 12: Majority 311.

List of the AYES.

Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Aglionby, H. A.
Alcock, T.
Anson, hon. Col.
Anstey, T. C.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bailey, J.
Baldock E. H.
Barkly, H.
Baring, T.
Barnard, E. G.
Barrington, Visct.
Barron, Sir H. W.
Bateson, T.
Bellew, R. M.
Bennet, P.
Beresford, W.
Berkeley, hon. Capt.
Bernal, R.
Birch, Sir T. B.
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Bowring, Dr.
Boyle, hon. Col.
Brackley, Visct.
Brand, T.
Bremridge, R.
Briscoe, M.
Broadley, H.
Brockman, E. D.
Brotherton, J.
Brown, H.
Browne, R. D.
Bruce, C. L. C.
Bulkeley, Sir R. B. W.
Buller, Sir J. Y.
Buller, C.
Bunbury, W. M.
Bunbury, E. H.
Burghley, Lord
Burroughes, H. N.
Busfeild, W.
Cabbell, B. B.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Castlereagh, Visct.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cavendish, W. G.
Cayley, E. S.
Chaplin, W. J.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Christy, S.
Clay, J.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Clive, H. B.
Cobbold, J. C.
Cobden, R.
Cocks, T. S.
Codrington, Sir W.
Coke, hon. E. K.
Cole, hon. H. A.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Courtenay, Lord
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Cubitt, W.
Currie, H.
Damer, hon. Col.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Deedes, W.
Dod, J. W.
Douglas, Sir C. E.
Drumlanrig, Visct.
Duff, G. S.
Duncan, Visct.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
Ebrington, Visct.
Edwards, H.
Egerton, Sir P.
Egerton, W. T.
Ellice, E.
Elliot, hon. J. E.
Estcourt, J. B. B.
Evans, Sir D. L.
Evans, W.
Ewart, W.
Farrer, J.
Fellowes, E.
Ferguson, Col.
Ferguson, Sir R. A.
Filmer, Sir E.
FitzPatrick, rt. hon. J.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Freestun, Col.
French, F.
Frewen, C. H.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W.E.
Glyn, G. C.
Gooch, E. S.
Gordon, Adm.
Goulburn, rt. hon. H.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, J.
Greene, T.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Guest, Sir J.
Gwyn, H.
Hall, Sir B.
Hallyburton, Lord J. F.
Hamilton, Lord C.
Hardcastle, J. A.
Harris, hon. Capt.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heald, J.
Heathcoat, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Henry, A.
Herries, rt. hon. J. C.
Heywood, J.
Hildyard, R. C.
Hildyard, T. B. T.
Hindley, C.
Hobhouse, T. B.
Hodges, T. L.
Hollond, R.
Hood, Sir A.
Hope, Sir J.
Horsman, E.
Hotham, Lord
Howard, hon. C. W. G.
Hume, J.
Humphery, Ald.
Hutt, W.
Ingestre, Visct.
Inglis, Sir R. H.
Jervis, Sir J.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Keppel, hon. G. T.
Ker, R.
Kershaw, J.
King, hon. P. J. L.
Knox, Col.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Loch, J.

Locke, J.
Lockhart, W.
Lushington, C.
Mackenzie, W. F.
Macnamara, Maj.
M'Cullagh, W. T.
M'Gregor, J.
M'Naghten, Sir E.
M'Neill, D.
M'Taggart, Sir J.
Mahon, The O'Gorman
Mangles, R. D.
March, Earl of
Marshall, W.
Masterman, J.
Matheson, A.
Matheson, J.
Matheson, Col.
Maxwell, hon. J. P.
Melgund, Visct.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Morison, Gen.
Mowatt, F.
Mulgrave, Earl of
Mundy, E. M.
Mure, Col.
Napier, J.
Norreys, Lord
Nugent, Sir P.
O'Brien, Sir L.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Oswald, A.
Packe, C. W.
Paget, Lord A.
Paget, Lord G.
Palmer, R.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pennant, hon. Col.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Plowden, W. H. C.
Powell, Col.
Power, Dr.
Power, N.
Raphael, A.
Rawdon, Col.
Renton, J. C.
Repton, G. W. J.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Rufford, F.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Scott, hon. F.
Seymer, H. K.
Seymour, Sir H.
Seil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Sibthorp, Col.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, J. B.
Smyth, J. G.
Smollett, A.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Spooner, R.
Stafford, A.
Stanley, hon. E. J.
Stansfield, W. R. C.
Stanton, W. H.
Strickland, Sir G.
Stuart, Lord D.
Stuart, H.
Sturt, H. G.
Sullivan, M.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hon. J. F.
Townshend, Capt.
Trelawny, J. S.
Turner, G. J.
Tynte, Col. C. J. K.
Tyrell, Sir J. T.
Urquhart, D.
Vane, Lord H.
Verner, Sir W.
Verney, Sir H.
Vivian, J. H.
Vyse, R. H. R. H.
Waddington, H. S.
Walmsley, Sir J.
Walpole, S. H.
Ward, H. G.
Watkins, Col. L.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the Noes.

Blewitt, R. J.
Dashwood, G. H.
D'Eyncourt, rt. hon. C.
Duke, Sir J.
Martin, J.
Morris, D.
O'Connor, F.
Pearson, C.
Pechell, Capt.
Scholefield, W.
Wakley, T.
Wawn, J. T.

TELLERS.

Crawford, W. S.
Roche, E. B.

House in Committee.
Bill passed through Committee.
House resumed. Report to be received.
House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, March 28, 1848.

Minutes.] *Took the Oaths.*—Several Lords.

Public Bills.—1ª Borough Police, Superannuation Fund.

Royal Assent.—Passengers; Queen's Prison.

Petitions Presented. From Members of several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From Glossop, for the Abolition of Toll Bars, altogether, and for Fixing a Small Rate upon Property for Maintaining the Roads.—From the Clergy of Leighlin, against the Rate of Assessment on Rent Charges.

HOUSE OF COMMONS,

Tuesday, March 28, 1848.

Minutes.] Public Bills.—2º Election Recognizances; Administration of Oaths (Court of Chancery).

Reported—Property Tax; Stamp Duties Assimilation.

Petitions Presented. By Mr. F. Mackenzie, from Cheltenham, respecting Election Recognizances.—By Mr. Sullivan, from Kilkenny, for a Repeal of the Union with Ireland.—By Sir J. Y. Buller, from Tavistock, and by Captain Vyse, from Paulerspury (Northampton), against, and by Sir J. Hanmer, from Holywell (Flintshire), and Mr. Aglionby, from Cockermouth, in favour of, the Jewish Disabilities Bill.—By Mr. Wakley, from the Ratepayers of Clerkenwell, for Alteration of the Law respecting Parish Vestries.—By Sir J. Hanmer, from Northop, in the County of Flint, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Sir De Lacy Evans, from Westminster, for Inquiry respecting the Rajah of Sattara.—By Sir W. Codrington, from Cheltenham, and by other Hon. Members, from several Places, for a Repeal of the Duty on Attorneys' Certificates.—By Sir Joshua Walmsley, from the Mayor and Aldermen of Leicester, against Exemption of Small Tenements from Rating Bill.—By Mr. T. Baring, from Great Yarmouth, and by several Hon. Members, from various Places, for Exemption of Charitable Bequests from Legacy Duties.—By Colonel Kemys Tynte, from Bridgewater, and its Neighbourhood, for Alteration of the Law respecting Malt.—By Mr. Halsey, from Hemel Hempstead (Hertford), against Increase or Continuance of the Property Tax.—By Sir T. Birch, from the Guardians of the West Derby Union, in the County of Lancaster, for Rating Owners instead of Occupiers of Tenements.—From the Board of Guardians of the Tipperary Union, for Inquiry respecting Absenteeism (Ireland).—By Mr. Divett, from Exeter, for Alteration of the Law of Bankruptcy and Insolvency.—By several Hon. Members, from a Number of Lodges of the Independent Order of Odd Fellows, Manchester Unity, for Extension of the Benefit Societies Act.—By Capt. Jones, from Londonderry, respecting Instalments for the Destitute Poor (Ireland) Acts.—By Mr. O. Duncombe, from Whitby and its Vicinity, and by several other Hon. Members, from various Places, against the Diplomatic Relations with the Court of Rome Bill.—By Sir J. Y. Buller, from the Totness Board of Education, for Alteration of the Law of Education.—By Mr. G. Hamilton, from Garvahy, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Sharman Crawford, from Wexford, for Alteration of the Law of Landlord and Tenant (Ireland).—By Mr. R. Palmer, from Plymouth, against a Repeal of the Navigation Laws.—By Mr. Wakley, from the Carnarvon Union, for Alteration of the Poor Law.—By Lord Courtenay, from the Guardians of the Kingsbridge Union, for Exemption of Workhouses from Poor Law Rating.—From the Grand Jury of the County of Roscommon, for Inquiry into the Poor Law (Ireland).

ABOLITION OF THE HOUSE OF LORDS.

Mr. WAKLEY begged the attention of the House to a petition from John Beale, of No. 4, Grosvenor Cottages, North-end, Eaton-square, London. The petition set forth that he considered the country as being in a most critical state, and that what has been going forward in countries elsewhere was likely to rouse the masses of this into action to seek for what they considered likely to be beneficial to them; that poverty and wretchedness almost indescribable existed amongst the people; that one of the causes of discontent was the defective character of the representation of the people in the House of Commons; that another was the fact, that whether in the Church, the Army, the Navy, the courts of justice, the colonies, or any place of emolument at home or abroad, they saw them all reserved for and filled by the scions of wealthy families. The petitioner therefore prayed for the establishment of universal suffrage, and of secret voting in the election of representatives of the people. He prayed that the Church property should be applied to the reduction of the national debt, and the produce of the Crown lands to the same purpose; that all sinecures, gratuities, and pensions should be abolished, except for meritorious services; he prayed for the reduction of the Army to the same footing as that on which it stood at the close of the last war—for the reduction and arrangement of taxation on a new scale—for the abolition of the laws of entail and primogeniture—for the separation of Church and State—for a reformed system of currency—and for the abolition of the House of Lords. The petition stated that one representative assembly was sufficient for all national purposes, and he prayed that his very reasonable requests might be taken into the consideration of the House.

Sir R. H. INGLIS opposed the bringing up of the petition.

Mr. HUME believed that no hon. Member could object to a petition being brought up. He might object to its reception.

Mr. SPEAKER read the Order of the House, which referred to petitions which might contain something contrary to the rules of the House. He supposed the hon. Member for the University of Oxford opposed the bringing up of the petition on some such grounds.

Sir R. H. INGLIS presumed the House had no right to receive such a petition; and he contended that a petition could no more be presented to that House containing a prayer for the abolition of the House of Lords than if it contained a prayer for the abolition of the Monarchy.

Sir J. GRAHAM thought that his hon. Friend the Member for the University of Oxford had, without intending it, placed the Speaker in a somewhat invidious position. The question was really one for the House and not the Speaker to decide; and in order that they might be enabled to come to a decision fairly, it would be necessary that the hon. Member for Finsbury should state the precise nature and force of the petition. It would be then for the House to determine what course should be pursued.

Mr. WAKLEY said, he would read the passages to which the hon. Baronet objected. They were—

> "The abolition of the House of Lords, your petitioner considering one assembly of representatives duly elected sufficient for national purposes."

The final prayer was—

> "Your petitioner extremely desires to see all these measures passed, believing the condition of the country to be such, that unless they are adopted, a convulsion must ensue which will bury in one common ruin all establishments which are now the envy of foreigners, but a continued source of evil to this nation."

Sir R. H. INGLIS only wished to have the passage of the petition to which he objected read at the table, and he should then move that the petition be rejected.

Mr. HUME thought that the whole petition should be read at the table. That was the rule of the House.

Sir G. GREY thought it would be enough to have the objectionable passage read at the table, as the House might be better employed than in listening to a long petition read at the table. It was customary for hon. Members to receive all petitions intrusted to them for presentation; but it was not understood that by presenting a petition, any hon. Member was bound by the sentiments contained in it. He hoped his hon. Friend would not persevere with his Motion, as it would in his view be attaching too much importance to the petition.

The Clerk at the table having read the passages,

SIR R. H. INGLIS said, that if an analogous petition were presented to the House of Lords for the abolition of the House of Commons, that body would not receive it, neither would either House receive a petition praying for the abolition of the Monarchy; and he could not see, therefore, why the House of Commons should receive a petition like the present, advocating opinions which were opposed to the almost unanimous feelings of the House. The hon. Member for Finsbury had, by his tone and manner, and his running commentaries, seemed to invite the attention of the House to the matters contained in the petition, and thus seemed to identify himself with it. He invited the House to pronounce a decision on the question whether it was conducive to the interests of the country that this species of petitions should be allowed to circulate?

MR. HUME said, that in his opinion a more absurd reason could not be given for the rejection of the petition than that urged by the hon. Baronet the Member for the University of Oxford—that the petition could not be received on the ground that it was opposed to the general opinion of the House. Why, this was the very kind of petitions which were required, and which the House ought to throw its doors wide open to receive. Petitions which agreed with the House were not petitions that were required. It was the duty of the House to receive every petition that was sent to it. If once the House were to begin to refuse petitions, where could they draw the line of distinction? The House was perhaps not aware that the petition was signed, not by some ignorant Chartist, but by a gentleman who had gone through the University, and was now a clergyman of the Church of England. He thought that it was the duty of the House to receive petitions from all portions of the people, whatever might be the sentiments which they expressed.

SIR J. GRAHAM was extremely sorry to be compelled, by the course taken by his hon. Friend the Member for the University of Oxford, to pronounce an opinion on a matter of such extreme importance. He felt as anxious as any hon. Member in that House to offer no obstruction to the presentation of petitions; and he was rejoiced that the House had allowed the petition to be read, because without hearing it he did not think that they could deliberately pronounce an opinion whether they could sanction it to the extent of allowing it to lie on the table. He agreed with his hon. Friend that it would be inconsistent with their loyalty to the Sovereign, and with the institutions of the country, to receive a petition seeking for the abolition of the kingly Government, and the substitution of a republic. The form of government established in this country was a Government by King, Lords, and Commons, and he thought that a line should be drawn, and that no petition should be allowed to lie on their table that dealt with the fundamental principles of the Government. He had not had time to weigh the matter with the care which it required, but he felt that the Government of this country was no less a kingly Government than it was one formed by two Houses of Parliament also; and if a petition for the abolition of the former could not be received, neither, he thought, could they receive a petition for the abolition of one of the Houses of the Legislature.

MR. BRIGHT wished to know whether it had not been the custom of the House to allow petitions to be received for the ejection of Bishops from the House of Lords. He thought, that if such petitions were allowed to be received by the House, there could be no reason to believe that the House was unable to receive petitions praying for the total abolition of the House of Peers. He did not express any sympathy, and probably no hon. Member in the House would express sympathy with the whole of the contents of the petition. He was sure that, with regard to this particular petition, the only effect of this discussion would be to raise the petitioner in his own estimation, and turn the public attention to the discussion of questions which the House did not wish to have discussed. If the House determined not to receive the petition, he was sure that it would only lead to the presentation of other similar objectionable petitions. He would express no opinion whatever upon this petition; that was a matter of minor importance, but he considered it of enormous importance that the House should not take a false step on the present occasion.

MR. MORGAN J. O'CONNELL did not think that the right hon. Baronet had put the case fairly. Any person in that House or out of it might express an opinion—which he thought would be a foolish one—that the House of Lords ought to be abolished, without committing an offence against the law; whereas no person could legally express an opinion in favour of the abolition of the Monarchy. He thought, therefore, that it was no argument to say that a petition not containing an illegal prayer should be rejected, because a petition for another object highly treasonable, and for which a person would become liable to severe punishment, should also be refused.

Dr. BOWRING thought that the question of the Monarchy had been introduced into the debate most unnecessarily. It was an entirely different question from the consideration whether one legislative body or two were more suited to the wants and interests of the country. As the question had been opened, he trusted that the petition would not be rejected.

Mr. NEWDEGATE concurred in the views of the right hon. Baronet (Sir James Graham). He thought the petition ought to be rejected.

Mr. WAKLEY had reason to complain of the hon. Baronet the Member for the University of Oxford for having referred to him as approving of all that the petition contained. He utterly denied that Members of that House were supposed to concur in all the petitions that were presented by them. Now, as these were times when persons ought to speak plainly, he would not hesitate to say that he agreed in a great measure with the prayer of the petition; but he did not agree in that part of it which related to the abolition of the House of Lords, because he sincerely believed that under the form of government which they had in this country more liberty might be enjoyed by the people than under any other. He believed that under the existing form of government the greatest extent of human liberty might be enjoyed by the British people. But was it to be supposed that the people were to reflect on what views would be agreeable to the House before they ventured to send a petition to it? For his own part, he should be delighted if he never received another petition for presentation, and if his constituents would select some other hon. Member to send their petitions to, because he thought that there was not the slightest good in sending petitions to that House when they met with no attention whatever.

Mr. AGLIONBY protested against the doctrine that there was no use in sending petitions to that House. For his own part, whenever he had an opportunity of addressing his constituents, he invariably held out to them the wholesome doctrine of making their sentiments known to the House of Commons; and he believed that in doing so he acted more to his own credit, and more to the satisfaction of the House and the public, than the hon. Member for Finsbury. He had held a seat in the House for many years, and he could most positively deny that the petitions of the people were treated with disrespect. True, it sometimes happened that one description of petitions met with more favour than others; but the people were aware of this, and they felt that it was utterly impossible that all petitions could be treated alike. With regard to the particular question before the House, he thought there could not be a shadow of a doubt that all petitions of the people that were respectfully worded ought to be received; and he hoped, in giving his vote upon this occasion, it would not be understood that he was expressing any opinion upon the views the petition contained. If the Motion of the hon. Baronet was acceded to, it would interfere with the right enjoyed by the people of petitioning that House on all subjects affecting their welfare. It would, he thought, have been much better if, instead of the public attention having been called to the subject, it had been passed over.

Mr. LABOUCHERE should exceedingly regret if the House were obliged to divide on this question, lest their vote should be misunderstood, because he felt satisfied that those who should think fit to vote in favour of the petition would not differ from the remainder of the House in the determination to uphold the constitution of Queen, Lords, and Commons. He believed that the immense majority of that House entertained on this question the same opinion with the immense majority of the people of this realm, who, however desirous they might be to see improvements introduced, were determined to uphold that great constitution under which they enjoyed more of security, and of liberty, and of happiness, than had been ever imparted by Providence to any other portion of the human race. But that was not the question before the House, and if forced to divide, he should certainly vote with his right hon. Friend the Secretary of State for the Home Department in favour of the petition being received. If a petition contained improper and scurrilous language against another branch of the Legislature, he thought that the House would be bound to feel as jealous of the honour of the other House as they should of their own; but in the present case the petitioner merely expressed an opinion, from which he totally differed; but he could not on that account feel justified in refusing to receive the petition, when he found that it was respectfully worded. No one would object to the House receiving a petition for the abolition of the Established Church, or for the expulsion of the Bishops from the House of Lords; and he thought it was dangerous for them to attempt drawing a line of distinction as to where they were to stop.

Mr. ROUNDELL PALMER hoped his hon. Friend (Sir R. H. Inglis) would not divide the House. He understood that the House had received petitions on several occasions for a repeal of the Union between England and Ireland, which he would venture to say was a subject less within the powers of the House to entertain than even the matter before them. Though no man was more attached to the House of Lords than he was, still he should feel himself obliged to vote on this occasion against the Motion of the hon. Baronet.

Sir R. H. INGLIS, in explanation, said it was with no common pleasure he had heard from all sides of the House a repudiation of the doctrines contained in the petition. Under these circumstances the object he had in view, though not technically gained, had been substantially obtained, and therefore he would not divide the House.

Petition ordered to lie upon the table.

FORCIBLE EJECTMENTS—UNION OF GALWAY.

Sir G. GREY desired to make a short statement with regard to the forcible ejectments and the destruction of houses in the union of Galway, which had been several times before the House. He had promised the hon. Member who had introduced the case (Mr. P. Scrope), that he would put the House in possession of the information he received from his noble Friend the Lord Lieutenant of Ireland, which he hoped would be more satisfactory than that which he (Sir G. Grey) at that time possessed. He immediately wrote to his noble Friend; and this morning he received a private letter from his noble Friend, written in consequence of the notice taken of the case in that House. In this letter his noble Friend expressed surprise, in which he (Sir G. Grey) participated, that, owing to circumstances arising from an accident which was to him inexplicable, his right hon. Friend (Sir W. Somerville) should have no knowledge of the measures taken by the Government, because it was the Lord Lieutenant's impression that information of the proceedings taken by the Government had been addressed to him some time ago. That letter must have been accidentally lost. It had certainly never reached him (Sir G. Grey); and his right hon. Friend (Sir W. Somerville) said that until last night he had never received an answer to his letter, although Mr. Redington was under the impression that one had been sent. He (Sir G. Grey), after the reproaches which had been cast upon the Irish Government in consequence of this case, felt it due to his noble Friend the Lord Lieutenant to state the steps he had taken in consequence of it; after which he was sure the House would acquit him of any neglect of, or indifference to, the outrage alleged to have been committed. The Earl of Clarendon said, that the moment he heard of the case, which was before the statement was made in the *Galway Mercury*, because it had been brought under the notice of the Government by the report of the assistant poor-law commissioner, he took measures for a thorough investigation of the facts, and, if they were substantiated, to punish the parties guilty of the cruelty alleged to have been committed. Some delay, however, unavoidably occurred, much to his regret, owing to Captain Hellard being, just at that period, seized with typhus fever, which terminated in his death. Major M'Kie, who was appointed to succeed Captain Hellard, made the inquiry, the result of which was before the House. Directly the report of that inquiry was brought under the notice of the Lord Lieutenant, he submitted the whole case to the law officers of the Crown, who gave it as their opinion that Government could not legally undertake a criminal prosecution. Lord Clarendon's next step was to intimate to the Lord Chancellor that Mr. Blake's name should be removed from the commission of the peace. The Lord Chancellor did not immediately act upon that suggestion; but he transmitted a statement of the case to Mr. Blake, and, according to the practice, afforded him an opportunity of making what explanation he chose. He regretted to state that for a length of time no explanation was received from Mr. Blake; and when at last it did arrive, it was considered so unsatisfactory, that his name was struck off the list of magistrates. Mr. St. George, a Member of that House, had also been called upon for an explanation, but no answer had yet been received from him.

RAILWAY COMMISSIONERS.

Mr. BANKES, in moving—

> "That in the opinion of this House the powers, rights, and authority, now vested by the Act 9th and 10th Victoria, c. 105, in the Commisioners of Railways, may be so regulated as to secure their efficient execution at a greatly diminished rate of charge to the public,"—

observed, that a Commission of such an extent and charge as that which now existed had never been contemplated. It had caused much surprise to those who had never heard of such a project, to find that all of a sudden a Board had sprung into existence consisting of no less than three Commissioners at high salaries, with a large staff of subordinate clerks, messengers, and other contingents, the expense of which, in the estimate for last year, amounted to no less than 17,000*l*. Another circumstance that had excited much surprise was, that the Act (9th and 10th of Victoria, cap. 105) for the establishment of these Commissioners, containing a great many clauses, and investing these Commissioners with much patronage, had, while it provided for the salaries of the Commissioners and for the payment of the subordinates, made no provision for the duties to be performed by these persons, those duties being to be made the subject of a future Act of Parliament. Such a Bill had, indeed, been brought in by the Gentleman who had been appointed Head Commissioner, but had excited much surprise and apprehension, not only among shareholders in existing railways, but also in the minds of landowners and other proprietors whose property was likely to be affected by the projects of new railway companies. Powers of a most formidable and arbitrary kind were to have been given to the Board of Commissioners, to be by them delegated to their subordinate officers —such as entitling them to go in upon and mark the land in spite of any opposition, and to turn furrows of a certain number of inches from one end of a property to another. Such provisions as these rendered the Bill so objectionable that it fell to the ground under the opposition of railway promoters and landed proprietors, and was at last withdrawn by the propounder of the scheme, the Railway Commissioner himself. From that time to the present no further scheme had been produced, and from that time to the present the Gentleman in question had remained without duties of any sort of importance, for the Act which had constituted him a Commissioner, prescribed none. In point of fact, the Board of Commissioners, with all their contingents of clerks and messengers, had nothing at all to do. The whole experiment had been tried on an unreasonably large scale, and the demand upon the public for expenditure was very great. There was a Chief Commissioner at 2,000*l*. a year, and two others at 1,500*l*. a year, with many paid subordinates, who were to have been charged with duties of so responsible a nature, that he was rejoiced they had never been intrusted to persons in an inferior capacity. No doubt the right hon. Gentleman (Mr. Strutt) would have endeavoured to select approved agents for those duties; but persons were not always fortunate in their choice, and it so happened that parties who had been employed by this very Gentleman as agents in another capacity had been so far from acting in conformity with his orders, that he had lost his seat in that House through their intervention. The right hon. Gentleman had given orders that nothing approaching to illegality should be resorted to by his agents; and yet he had been unseated for bribery by those agents, who had acted so entirely contrary to his instructions. But with respect to the question of the Railway Commission, he thought there was no difficulty now in dealing with an experiment that had been tried upwards of a year and a half, and which he (Mr. Bankes) was prepared to allege was a signal failure. It had happened only within a few weeks that two Railway Bills, which had come before the House with the recommendation of the Railway Board, had been negatived by large majorities. Was not such a board, then, an injury rather than a benefit, in so far as it increased the expenses of a Railway Bill by an investigation which, when performed, appeared to carry no warrant of authority in that House? Such a fact proved that the value of the experiment did not correspond with the amount of expense which it entailed. At a time, therefore, when every possible reduction was called for that could be made without injury to the public service, he was enabled to point out this Board as a source from which a saving not altogether inconsiderable might be made. But a reduction of expense was not the only benefit that would ensue, for a board constituted like this answered no beneficial purpose. The functions formerly administered by the Board of Trade might not have been altogether satisfactory; yet, with the additional experience now available, he thought it would be found that administration would be at least as advantageous as by the Railway Commissioners, and with a great saving of expense. When railway matters were first referred to the Board of Trade, the annual expense was 1,972*l.* That expense was afterwards increased to 3,302*l.*, in consequence of certain new arrangements, by which heavier duties devolved upon the Board of Trade; but under the new arrangement the charge in the first year was 17,000*l.* It was true that the charge stood in the present estimates at only 12,000*l.*; but that sum by no means covered the whole amount of charge arising out of the Government control of railways; for, as one of the Member of the Committee which had been appointed to investigate the expenditure of the Army, Navy, and Ordnance, he had been surprised to find items in the Navy Estimates relating also to railways. He found that a board had been established for railway duties in connexion with the Admiralty, consisting of three members at 800*l.* a year, and a chief clerk at 220*l.* a year; two other clerks, one at 90*l.* and the other at 70*l.*, making 160*l.* a year; and a draughtsman at 130*l.* Then, this board being separate from the Admiralty, house-rent and taxes were charged, and they amounted to 265*l.*; the other items being, messengers 155*l.*, and travelling expenses 300*l.*; making a total of this charge appearing in the Navy Estimates of 3,630*l.*, which was to be added to the 12,000*l.* avowedly for the Railway Board, and which appeared in the Miscellaneous Estimates. Nor, as he believed, was this all; for he had been given to understand that when they came to the Ordnance Estimates something of the same kind would be found there also. He had been told that there had been a considerable increase of pay to some of the Ordnance officers, in consequence of services they had performed in connexion with railways. With the particulars he was not yet acquainted; but he believed it would be found that the whole expenditure by the Government on account of railway services would greatly exceed the sum of 17,000*l.* Under these circumstances, he thought it was necessary to call the attention of the House at once to this as a branch of expense which might be declared surplusage. At the same time, he avowed he was as unwilling as any one to cripple the hands of Government in a branch of the public service at a time of difficulty. The Motion would be allowed to be opportune, inasmuch as they had now a vacancy at this Board, the Chief Commissioner having ceased to hold a seat in the House; and, as one of the principal advantages promised to them was to consist in the head of the department being a Member of the House of Commons, this was the fitting period to consider whether it was not advisable to reinvest the Board of Trade with all its former powers in relation to railway matters, and so do away with the necessity for the new Commission. It might be quite true that, originally, on the first pressure of a novel species of business, the Board of Trade had not proved itself quite competent to deal satisfactorily with the various railway interests which came under its investigation; but perfect facility of working could not have been expected at once; and there was now no reason to suppose that the duties at present discharged by the Railway Board of Trade could not with perfect efficiency, and without injury to the public service, be merged into the functions of the Board of Trade. The President and the Vice-President of that department were already in the House. They were Gentlemen thoroughly competent to the superintendence of all railway subjects; and it was quite plain, that, just now, they had very little to do. It was not easy to say whether or not this evident absence of occupation resulted from the operation of free-trade legislation; but it was quite certain that the Board of Trade was losing much of that prominence and importance which it formerly possessed; and he was therefore justified in assuming that it was not altogether out of the question for that department to undertake again the supervision and control of the various matters connected with railway companies. It was his intention, if this resolution were agreed to, to give notice of a Bill to repeal the 9th and 10th of Victoria, cap. 105; and this was all that it would be necessary to do in order to effect the object which he had in view. The question, it appeared to him, was especially one of economy, and it was for the House to consider if an opportunity was not now offered to them of effecting a judicious reduction in one portion of the expenditure. He wished it to be understood that he did full justice to the character of Mr. Strutt: a more honourable man, or one better qualified for the post to which he was appointed, could not have been chosen; but his qualification for the office had been derived solely from experience of Railway Bills in the House, and the merits which distinguished him in this respect were also possessed by the Gentleman presiding at the Board of Trade, in whose judgment and decisions every confidence would be placed both by the railway world and by the public. He believed that the Government were rather "shaky" on this point, and ready enough to give way; and, if they saw no objection to the spirit of his Motion, he would gladly approve of any arrangement based upon that which they might think proper to make.

The CHANCELLOR OF THE EXCHEQUER thought that the hon. Member was mistaken as to the existence of any department of the Ordnance connected with the Railway Board. With regard to the statement of the hon. Gentleman, that some persons under the Admiralty were paid for services rendered only in respect of railways, he would remind him that this was an arrangement which had been carried out in express obedience to the wishes of the House. The House had required, in many cases of Railway Bills, that preliminary reports should be made by the Admiralty, as to the effect of bridges and other works on navigable rivers throughout the country; and, of course, if these reports were deemed indispensable to Committees called upon to grant particular powers to railway companies, it was useless to complain that expense was in consequence incurred. With respect, however, to the observations which had been made upon the Railway Board itself, he would, in the first place, express his decided concurrence in the views of the hon. Gentleman as to the expediency of the utmost possible economy at this moment in every department of the public service. Her Majesty's Government were well disposed to effect every practicable reduction, and they would therefore give due weight to that portion of the argument of the hon. Gentleman on this occasion. The hon. Gentleman said, that he had not been made fully acquainted, in the first instance, with the project for the constitution of the Railway Board. The subject had assuredly been fully discussed before any decisive steps were taken. There were no less than three distinct reports from Committees of the House of Lords and of that House recommending the formation of such a Commission for the especial purpose of superintending railway matters; and that recommendation was enforced upon the Government from many quarters. The proposition to that effect was made to the House at the close of the Session of 1846; and though Mr. Bickham Escott called for a division against the measure, he could obtain no support whatever: not a single Member went into the lobby against the Bill; and it might therefore be said to have received the unanimous approval of the Legislature. These being the circumstances under which the Board was constituted, he could not see on what ground the hon. Member could complain of not having been informed of the intentions of the Government, and of the extent to which they contemplated going with the newly-created department. The hon. Member was greatly mistaken in supposing that the expenses of the Board amounted to so much as 17,000*l.* per annum. [Mr. BANKES: 17,000*l.* the first year; 12,000*l.* this year.] The larger sum was for nearly eighteen months in the first instance; but the expense stood on the estimates as 12,000*l.* a year. He was exceedingly sorry that this Motion should have come on at a period when his right hon. Friend (Mr. Strutt) had ceased to be a Member of the House. His right hon. Friend had naturally been conversant with the business of the Board, and would have been able to give a much more satisfactory account of its operations than it was in his power to furnish to the House. He would not go into any of the details as to the actual functions of the Commission; but the hon. Member would probably recollect, that in the course of last Session very important additional duties were imposed upon it, and that the reports which it was then determined it should supply upon the proceedings, and particularly upon the financial proceedings of railway companies, had since proved to be of most essential service to the Committees. The business transacted by the Railway Board last year had been exactly twice the amount of the business transacted by the Railway Department of the Board of Trade in 1845; and this year, up to this time, the business done by the Railway Board was about one-third of the entire business brought before it in the whole twelve months of 1847. This statement would at once show to the House that the duties of the Commission were considerably on the increase; and this being the case it would hardly appear possible to reduce very considerably the establishment at present maintained for railway purposes. He was sure that the House would join with him in the expression of sincere regret at the circumstances which had led to the removal from Parliament of Mr. Strutt. His right hon. Friend had been appointed to the presidency of the Board, mainly in consequence of his great experience in Private Bills, which now engaged so large a portion of the time of the House; and his absence could not but be found a loss by all parties. When the report of the Derby Election Committee was made known to him, his right hon. Friend at once sent in his resignation to his noble Friend at the head of the Government, stating, while tendering it, that the object of having a Parliamentary representative of the Board having now been defeated so far as he was concerned, he considered that he ought not to continue to hold the situation. This argument was deemed conclusive: and his noble Friend, however, sorry we were to lose Mr. Strutt's services, immediately accepted his resignation, and decided, moreover, on not at present filling up the vacancy. The Government proposed to appoint some Member of the Board of Trade, as an unpaid Commissioner, to take part in the proceedings of the Railway Board; and they would then, after trying this experiment, be put in a position to judge whether or not it was advisable to name any successor to Mr. Strutt in the same capacity. This subject, the House was aware, would come under the consideration of the Committee appointed to inquire into the Miscellaneous Expenditure. This Committee would investigate the expenses of the different departments; and, if it should recommend a reduction in the establishment of this particular department, there would be no indisposition on the part of the Government to see that due economy was observed. It would be far better for the House to wait until the report of the Committee was before them before taking such a step as that suggested by the hon. Member for Dorsetshire; and he could assure them the Government would be quite ready to acquiesce in any recommendation which might be made by the Committee after full investigation of the subject. He hoped that his hon. Friend would be satisfied with this assurance, and would withdraw his Motion.

Mr. HUDSON congratulated the House upon the speech of the right hon. Gentleman. He had no wish whatever to deprive the Government of the supervision over railway matters which they at present exercised; all he desired was in supporting this Motion that that supervision should be more economically administered. The right hon. Gentleman had spoken of the heavy duties which the Railway Commission was called upon to discharge. He (Mr. Hudson) would give the House an instance of the activity of this Board. The other day an accident happened to a train in which he was travelling; the wheel of one of the carriages broke, and there was, of course, great alarm. Some gentleman who was in the train wrote an anonymous letter to the *Times*, describing the occurrence, and stating that the accident was attributable to Mr. Hudson having detained the train at Derby. The fact was, that they had had to change the engine at Derby, and that he had nothing to do with the delay; but what was the consequence? The Board cut the letter out of the *Times*, sent it down to the secretary of the company, and begged to ask if the directors had any explanation to give? Of course, no explanation was given; the letter was anonymous; the statement, as might be supposed, was utterly untrue; and if it was the custom of the Commission to take notice of such letters as these, it was not surprising that their business should be greatly on the increase. It was his opinion that if the duties of the office were not exceeded, one man of common sense could do all the work, and give more satisfaction, too, than at present resulted from the labours of the distinguished Gentlemen who received 12,000*l*. a year. He was prepared to say that when the superintendence was exercised by the Board of Trade, it was better done and more efficiently exercised; and he could assign a very good reason. The Railway Commissioners had not sufficient employment for their time; and he had found, when in business, that when there was little to do things were neglected, and when there was plenty of employment everything went right. He was satisfied that a very large saving might be made by the abolition of the Railway Board; the railway superintendence ought not to cost more than 3,000*l.* a year. He did not blame the Government for the Act establishing the Railway Board; it was experimental, and Parliament was at that time in an excited state, and determined to manage every person's business, and railways amongst the rest. Why not send the business to the Board of Trade at once? Why did not the right hon. Gentleman admit that the experiment had been tried and found useless; that the Government and Parliament had done wrong? He thought it most unwise to refer this matter to a Committee. It was not that railway men found fault with the Board; they did not think it injurious to them as railway people; but, looking at the organisation of the Board, he was sure the hon. Member for Montrose must see that the superintendence could be managed at considerably less expense, and he did not see why the Board should be continued for one hour longer.

Mr. V. SMITH was of opinion, that under the Act there was no efficient control over railway companies, whereas the object of the Act was to supply a greater and more efficient control over those bodies. He hoped that, although the Act of last Session had not, as the hon. Member stated, given the necessary powers, Parliament would be disposed to give greater power to the public over railway companies. The hon. Member for Sunderland considered that no control was requisite; but the powers which were given by the Act might be more beneficially exercised. In the part of the country he lived in the communication from west to east was completely useless, because of the disagreement or misunderstanding between two companies, which caused a stoppage between two termini. [Mr. Hudson: There is no misunderstanding.] Then there is a very bad understanding. He was content with what had been said by the Chancellor of the Exchequer; but he hoped Parliament would not lose sight of the subject, of establishing a more efficient control over railway companies, for the speech of the hon. Member for Sunderland had laid sufficient ground for requiring a better control.

Mr. GLADSTONE said, that the question was not whether there should be a cessation of control over railway companies, or whether there should be from time to time an extension of that control, nor had it anything to do with the amount of duties to be performed, but it related to the organ or instrument by which those duties were to be performed. After having heard the speech of the Chancellor of the Exchequer, which he fully agreed contained an announcement, as far as it went, satisfactory to the House, and the spirit of which was intended to be conciliatory, he scarcely wished for the withdrawal of his Motion. As to the origin of this Commission, the House was not about to censure anybody; their object was to make the best arrangements. The Act for the establishment of the Railway Commission, although it passed at the end of the Session, and when few Members were present, yet passed with the almost universal concurrence of Parliament; and if there had been a very full attendance the Act would have been passed either unanimously or by an overwhelming majority. It appeared to him that a great error was then committed. An Act was passed which the right hon. Gentleman who spoke last said proceeded on the supposition you were to alter the existing system as to railways, and to take into the hands of Government a larger amount of control than it had before thought fit to assume. Parliament created a great error in creating a body to exercise that control before it determined what the control was to be; and the consequence had been a state of things which was unsatisfactory. Even if it were admitted that Parliament did wisely, and that Government acted wisely, still the day was now come when the axe must be laid to the root of this Commission, because the Bill for creating the Commission proceeded upon the supposition that new powers were to be created. Had the new powers been created? Efforts were made last year by the Gentleman who was placed at the head of the Railway Commission—and this House had few more honourable or intelligent men—and therefore it was not in the Gentleman who had charge of the department that he should seek for the cause of the failure; but still the House declined to give those powers. Two Bills were introduced in 1847, and the powers were not given. We had now come to 1848. Parliament met in November. The Session had lasted for four months. Had those powers been given yet? Had they been asked for? Had there been an indication on the part of the Government of an intention to ask for those new powers? No Bill was before the House; no necessity had been felt by the public out of doors. On the whole, it was found that the system worked well. The control of Government over railways might admit of being extended in this particular, or contracted in that; but on the whole it was a sound and safe system. Parliament since 1847 had changed its mind as to the powers to be exercised over railway companies; it was then disposed to ask for a great deal; it was perfectly plain that it was now disposed to retain the present system; and if Government was to ask for large additional powers, Parliament was not prepared to give them. Then the whole basis on which the House had erected the Commission failed. He did not hesitate to say that it appeared to him that the plan of the right hon. Gentleman the Chancellor of the Exchequer was a bad plan. He admitted that it was an improvement as far as expense was concerned; but he did not understand why the President or the Vice-President of the Board of Trade, who were responsible officers, holding a recognised position in the Government, should not assume the duty of carrying on the Commission as he believed they would carry it on. Was the Commission in itself the most convenient organ for the transaction of executive business of this kind? He thought, on the contrary, you had business much better done in proportion as you could connect it with individual responsibility. Divided responsibility, in cases of this kind, was a great disadvantage to an office; and unless it could be shown that the President and Vice-President of the Board of Trade were overcharged with official or Parliamentary duties, you might constrain them to some exercise of their functions. Were they overcharged with Parliamentary business? The President of the Board of Trade had been usefully and actively occupied during the present Session of Parliament in carrying several Bills of importance through the House; but not one of the Bills had to do with his department. He was *locum tenens* of the Colonial Department, and in a most satisfactory manner had discharged his duties; and the Under Secretary of State must feel great obligations towards him; but these acts seemed to show that the railway business might be discharged by him and by his right hon. Friend the Vice-President. In 1846, duties were discharged by the right hon. Gentleman the Member for Dover, which up to last week were discharged in the House of Commons, not with an increase, but rather with a diminution in each branch, by no less than four right hon. Gentlemen. There was the right hon. Gentleman the President of the Board of Trade, the right hon. Gentleman the Vice-President, the right hon. Gentleman the Master of the Mint, and the right hon. Gentleman the First Commissioner of the Railway Commission; and all these four right hon. Gentlemen had been sedulously and laboriously employed up to last week in executing the duties which were executed, without any complaint of inefficiency that he had ever heard of, by his right hon. Friend the Member for Dover in 1846. The House had been giving votes, under the dictates of political necessity, for large and heavy establishments; but he must say, that the obligations of economy, even if they were not very stringently interpreted, and even if we were in ordinary times, would require some change in the state of facts, and that it was necessary to inquire whether four right hon. Gentlemen — nay, he went further, and said that it was necessary to inquire even whether three right hon. Gentlemen were absolutely necessary, in order to discharge the duties which were discharged by the hon. Member for Dover in 1846, and which had been discharged for many years before that by a single individual in the House? The Chancellor of the Exchequer had said that the business passing through the Railway Department was about double the business of the Board of Trade in 1845. He (Mr. Gladstone) did not question the literal accuracy of that statement; but the right hon. Gentleman applied to a most fallacious criterion, namely, the number of papers. Until you come to know the importance of the papers, and the affairs with which they were connected, if you took the number of papers as the criterion, you would fall into most deplorable error. We must expect the number of papers to go on with the increase of railways, and you would require, from time to time, an increasing number of clerks and subordinate officers; but it was not to do the duties of clerks and subordinate officers that the House appointed the Railway Commission; it was because they contemplated the creation of new, arduous, and responsible functions. You had now, as a matter of fact, looking at the question in a practical point of view, given up all idea of creating these new, arduous, and responsible functions. Therefore, he said that the state of these duties fell back to what it was under the

Board of Trade. There was every prospect that for the next three years it would be easier than it had been for the last ten years; but unless you could show that the Railway Commission was the most convenient organ for transacting business, you could not continue its exercise. In two or three rooms of the Board of Trade, this business would be transacted with satisfaction to the public. He was sure that the right hon. Gentleman would transact it as efficiently as it could be done by any other hands; he thought he would transact it more efficiently if he did it as President of the Board of Trade, than if he did it with a number of unpaid clerks, as head of the Commission.

Mr. HUME said, that it was quite refreshing to hear such advocacy of economy from such parties; he hoped that a new era had taken place, and that it would have many repetitions. With reference to the question before the House, viz., the establishment of the Board, he, as Member of the Committee recommending it, was as much to blame as any man in the House; but he must say that he agreed to it under the statement made of the necessity of certain powers of control and coercion; and the Chancellor of the Exchequer, who was upon the same Committee, agreed to it under a strong impression that greater powers were requisite, and that if the Board was appointed they would be given. He agreed that those powers had not been given, and he ventured last Session to ask a right hon. Gentleman, now no longer in the House, whether the department was worth continuing? He had now come to the conclusion that the department might merge altogether into the Board of Trade; and he concurred with the right hon. Gentleman in thinking that individual responsibility would secure a better performance of the duties. The Commission had been appointed with an intention to perform certain duties; they had not done it, and the question was, whether they might not come back to the department of the Board of Trade. He believed that there was sufficient leisure in the department of the President or Vice-President of the Board of Trade to do all that was requisite. He took it for granted that the Commission was broken up; the principal issue, therefore, was amalgamation with the Board of Trade. As to another department which had been spoken of by the hon. Member who brought forward this Motion, viz., the new board called the Railway and Harbour Board, which it was said had incurred an expense of 3,000*l.*, he could state that, so far from that board having been constituted at that expense, it had not cost more than 350*l.* Her Majesty had appointed a Commission to inquire into the state of the tidal harbours. It was proved to that Commission that many of the harbours had been injured by bridges crossing them, and greatly impeded in their usefulness, and the Commission recommended certain alterations. What were those alterations? The Admiralty, by an Act of Charles II., and the prerogative of the Crown, ought to have exercised a power over the erection of all buildings within the flow of high water. That had been neglected, and it was recommended that the Admiralty should resume their superintendence. What had been done? There was an important department called the Hydrographers' Department. The House had put on the Admiralty the right of inquiring and taking care that no bridges should be built across navigable waters or harbours; they had pressed it upon them in 1845, 1846, and 1847; and the Admiralty threw it on the hydrographers, who were Captain Bethune and Major Beche. The effect of throwing the business of the department on them was, that Admiral Beaufort declared that three-fourths of the time which ought to have been devoted to his own department had been taken up in superintending Bills connected with rivers and harbours. He (Mr. Hume) considered the change which had now taken place a most important one. It was called the Railroad and Harbour Board, because railroads had crossed harbours and impeded the navigation. And what was the enormous expense? 800*l.* was the whole amount of this extraordinary expenditure. There was no department so likely to be productive of benefit as the Committee of these three Gentlemen: every means to prevent encroachment would be used; and he did not believe that any department which could be appointed was likely to do so much good.

Mr. F. T. BARING said, that most undoubtedly it was intended that greater control should be given to the Board over railways than Parliament had; and if it was the intention of Parliament that no further powers over railways should be given, he quite agreed with the right hon. Gentleman that the Board was an instrument too large and too expensive; but, on the other hand, the House would see that, under the cover of this Motion, they were coming to a resolution that they never would grant further powers. ["No, no!"] Did not the right hon. Gentleman state that he took it for granted that Parliament had abandoned that course, and therefore that they considered such a Railway Board unnecessary? He, for one, did not agree with the right hon. Gentleman. His impression was, that the House would by and by give further powers to some Member of the Government; but admitting, for the sake of argument, that the right hon. Gentleman was correct, he did not agree with him as to the mode in which he proposed to administer the powers which now remained. He had always thought that it was a mistake to combine the Railway Department with the Board of Trade. His impression was, that the combination of the Railway Department with the Board of Trade was making two bad offices. The duties of the Board of Trade were different; and it was infinitely better to create a department under which you might place all business of a similar character, such as the business of the Board of Works, and Woods and Forests. There was no great civil department looking over public works. This was a great subject of inquiry; and he hoped that House would wait till the Committees had reported whether better arrangement might not be made. The right hon. Gentleman had said that Earl Dalhousie had broken down his health in performing the duties. He should be glad to hear the opinion of the right hon. Member for Dover, and should like to have heard Earl Dalhousie's opinion. Although he concurred with the right hon. Gentleman that a saving might be made in the arrangement, yet he would rather prefer waiting until the Committee had reported, to see whether a better arrangement could not be made than by handing over the matter to the Board of Trade. It was worthy the attention of the Committee, to whom the estimates were referred, whether it was not better to combine the business with the Woods and Forests, than to throw it on the Board of Trade.

Sir J. GRAHAM said, he agreed with those who thought that the true question before the House was not that which had been raised by the right hon. Member for Northampton, namely, whether the extensive powers of supervision, as regarded railways, exercised by the Commissioners, should continue to be vested in their hands, or be transferred to those of other parties. He also did not think that the present was the exact opportunity for considering whether a new Minister of Public Works should be appointed. In his opinion there was much to be said in favour of such a course. At present there were four officers whose duty it was to exercise a supervision in the matter of railways, and one of those officers was to have a seat in Parliament. Till within a very few years the labours gone through by these Gentlemen were directly performed by one Member of that House. He could not avoid observing that the hon. Member for Montrose took the trouble to inform the House that a new era of economy had arisen. Now, he would venture to affirm that it was nothing but the revival of an old era. At the present moment every one concurred in thinking there was the utmost need that the public expenditure should be restrained by a firm hand on the part of Parliament. What was the state of the present case? Parliament created officers two years ago without any duties being assigned to them, and two attempts had subsequently been made to find them business. No duty whatever had been assigned by Parliament to officers created by Parliament in the year 1846. The Bill creating this Board was necessarily passed about the end of the month of August. At what period of the year it might not have been passed formed another question; but this every one who heard him remembered, that it was passed late in the Session, and at a time when very few Members were present; still he would not say but that it might have passed even though there had been a full attendance of Members. The time, however, had arrived when they were all sensible that they had committed an error—they now discovered that they had sinned on both sides; that the time of repentance was common to both; and that from making reparation some important advantages might be expected to accrue, though not exactly of the kind anticipated by his hon. Friend the Member for Montrose, who could never be too highly commended for the manner in which at all times he enforced sound principles of economy. During his long public career he had never either directly or indirectly sought patronage for himself. He would fain believe that the services of his hon. Friend to this country would not be forgotten; and doubtless their value would be more felt, and would be more highly appreciated, when they should have lost him, than while he continued amongst them. But then his hon. Friend had a hobby, and that hobby was tidal harbours. He put upon his hobby three riders, at an expense to the country of 800*l*. each, with an establishment of 3,000*l*. a year. It happened that this hobby had the very vice complained of in the case of the Commissioners of Railways. The Admiralty sat under the same roof with those gentlemen, who constituted a Board of Railways and a Harbour Board, though all the duties which they discharged might be performed under the direction of the Board of Admiralty, just as the duties of the present Railway Commission might be performed at the Board of Trade, though in separate rooms. Those who recollected the manner in which Lord Dalhousie and his right hon. Friend near him, the Member for the University of Oxford, both as President and Vice-President of the Board of Trade, transacted an almost overwhelming amount of railway business quite separate from the ordinary business of the Board of Trade, could not for a moment doubt the practicability of the President and Vice-President still continuing to transact the business of the railways in immediate connexion with the Board of Trade. The noble Lord and the right hon. Gentleman to whom he had referred transacted that business during the time that it was most weighty and important. They performed the duty most efficiently, and in a manner highly creditable to themselves. The right hon. Gentleman the Member for Portsmouth did not seem to be quite satisfied with the mode in which the business was likely to be transacted if left in the hands of the President and Vice-President of the Board of Trade. But, from the long experience which he had of the talents and great industry of the right hon. Member for Taunton, he could not doubt that that right hon. Gentleman, aided by the diligence and ability of the right hon. Member for Manchester, would find no difficulty in transacting the business of the railways with the assistance only of a certain number of additional clerks. But the most efficient and, in the end, the most economical way would be, to pay engineer officers occasionally employed handsomely and liberally, but not to make any addition to the existing establishment. It was the tendency to add to the permanent establishments which, in the course of the last fifteen or twenty years had added so enormously to the public expenditure; and this was the first opportunity which had arisen in this new Parliament for the House of Commons to attempt the introduction of a principle of a saving in this respect. If he could understand, as the hon. Member for Montrose seemed to understand, that it was the intention of the Government to put an end to this Railway Board, and within a short time to come forward with a system connecting the existing control of railways, such as it was, with the Board of Trade; and adding, subject to the will of Parliament, further powers of supervision over railways, then he should say that the present Motion was superfluous. But unless that assurance was distinctly given to the House; and if it was intended to adhere to that which the Chancellor of the Exchequer had opened, and to keep up the present Railway Board, merely placing the nominal superintendence or headship of it in the President of the Board of Trade; then he thought the resolution proposed by the hon. Member for Dorsetshire would be a salutary resolution, as it would express the opinion of the House of Commons that another course must be adopted without delay; and, under such circumstances, he should feel it his duty to vote in favour of the Motion.

MR. LABOUCHERE felt strongly the great disadvantage the House laboured under in discussing the present question in the absence of Mr. Strutt, who lately filled the office of President of the Railway Commission, and who, as that office had been held by no other person, was the only individual capable of giving the House a satisfactory account of the duties imposed on the Commission. He freely admitted to the right hon. Member for Oxford University, that when the present Railway Commission was constituted, it certainly was in contemplation that the duties to be devolved on it should be very considerably extended; but experience had convinced him that it was very difficult to please that House on the subject of railway legislation. He had always found a disposition to exist to quarrel with that which existed; to demand a change; and then immediately to quarrel with the alteration. Under these circumstances, he did not know that the opinion expressed by hon. Gentlemen in the course of the present debate could be taken as the final decision of the House. It had been said that the duties of the Railway Commission could not be expected to increase. It might be imprudent in the House to come to such an opinion; but if such were the opinion of the House, they might decide that a separate Commission for railway affairs was unnecessary and inexpedient. Consequently, his chief objection to the present Motion was, that it prejudged the question, which the House in a short interval of time would be better able to consider and decide upon. It was intended, as he had been informed by Mr. Strutt, to lay on the table of the House, immediately before or after Easter, a full and detailed report, giving an account of what the duties of the Railway Commission had been, which he (Mr. Labouchere) thought would be found more arduous and considerable than had been described, and also what was suggested as the future course of legislation with respect to the management of railways. The House would also, at a future period, be in possession of the report of the Committee on the Miscellaneous Estimates; and this information, taken together, would enable the House to consider the whole subject with greater advantage than at present. If the Government had announced any intention of taking a course which might hamper the free action of the House, he could then understand the eagerness of hon. Members to intervene in this matter; but the statement of the Chancellor of the Exchequer was of a different character. His right hon. Friend had admitted that enough of doubt existed on the subject to render it improper to fill up the vacancy now existing at the Railway Board; and he knew that it was the intention of the noble Lord at the head of the Government to insert in the new Commission to be issued, the name either of himself (Mr. Labouchere) or of his right hon. Friend the Vice-President of the Board of Trade—consequently, the business of the Railway Department would be carried on in conjunction with the Board of Trade. At a future period, he repeated, the House would have better materials for judging on the question; and in the meantime he expressed a doubt, not biassed, he hoped, by what he knew to be the painful and invidious nature of the duties connected with railway affairs, whether they were satisfactorily providing for the performance of those duties, or improving the Board of Trade, by altogether merging in it the Railway Department. Something had been said about the Board of Trade not having had onerous duties to perform, and that it might easily undertake this additional business. He hoped he had exhibited no disposition to shrink from any labour that might be cast upon him; and if, on experience, it should be found that the Board of Trade could satisfactorily transact the business referred to, no one would more cheerfully acknowledge the circumstance than himself. However, if it should be the pleasure of the House to unite these duties with the Board of Trade, he thought he should be deceiving the House if he held out much prospect of considerable economy from such an arrangement. His experience did not induce him to conclude that this business could be satisfactorily discharged by any head of department, whether a President of the Railway Commission, or the President of the Board of Trade, unless he had the assistance of men not only holding the highest professional, but the highest personal character, and occupying a considerable station in life. It was not business that could be satisfactorily discharged in reference to the public by any persons not being men of known character and reputation. He need not mere particularly allude to circumstances that rendered this necessary. If the only persons to whom the Board could have access for professional advice on these matters, were not known to the public, then, whatever might be their integrity, suspicion would be cast upon them, and the public business could not be satisfactorily performed. He had had the assistance at the Board of Trade of some individuals exceedingly competent to advise on these subjects; but the ample remuneration which those gentlemen obtained was not sufficient to keep them at the Board of Trade, for they were lured away by still higher salaries offered by railway companies. Without casting the least blame on these gentlemen, he thought that that was not a seemly thing to occur; and therefore he conceived it would be much better and cheaper to the public to retain the services of such well-known men as Sir E. Ryan, Captain Harness, and the hon. Gentleman lately at the head of the Railway Department, whose characters were above all suspicion. With respect to the Motion before the House, he thought it would be better not to express any opinion on the present occasion; as the postponement of the consideration of the question would enable the House to come to a decision on it in a more satisfactory manner. He would not meet the Motion by a direct negative, but should propose the previous question.

The House divided on the question, that the question be put. The numbers were:—Ayes 56; Noes 75: Majority 19.

List of the AYES.

Adair, H. E.
Adderley, C. B.
Arkwright, G.
Baldock, E. H.
Bennet, P.
Bentinck, Lord G.
Berkeley, hon. G. F.
Boldero, H. G.
Bremridge, R.
Bruce, C. L. C.
Clay, J.
Clerk, rt. hon. Sir G.
Clive, H. B.
Cobbold, J. C.
Currie, H.
Davies, D. A. S.
Disraeli, B.
Duncan, Visct.
Floyer, J.
Forbes, W.
Fuller, A. E.
Gladstone, rt. hn. W. E.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Gwyn, H.
Heald, J.
Henley, J. W.
Henry, A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hume, J.
Ingestre, Visct.
Kershaw, J.
Lowther, hon. Col.
Meagher, T.
Mahon, Visct.
Napier, J.
Newdegate, C. N.
O'Connor, F.
Packe, C. W.
Pilkington, J.
Pugh, D.
Renton, J. C.
Rufford, F.
Spooner, R.
Stuart, J.
Sullivan, M.
Thesiger, Sir F.
Thompson, Col.
Thompson, Ald.
Tyrell, Sir J. T.
Vivian, J. E.
Vyse, R. H. R. H.
Walmsley, Sir J.
Wortley, rt. hon. J. S.

TELLERS.

Bankes, G.
Hudson, G.

List of the NOES.

Abdy, T. N.
Aglionby, H. A.
Anson, Visct.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Baring, rt. hon. F. T.
Barnard, E. G.
Bellew, R. M.
Boyle, hon. Col.
Brockman, E. D.
Brotherton, J.
Buller, C.
Busfeild, W.
Campbell, hon. W. F.
Clifford, H. M.
Coke, hon. E. K.
Craig, W. G.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Elliot, hon. J. E.
FitzPatrick, rt.hn.J.W.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fox, R. M.
Gibson, rt. hon. T. M.
Grace, O. D. J.
Grey, rt. hon. Sir G.
Guest, Sir J.
Hawes, B.
Hayter, W. G.
Heathcote, J.
Heywood, J.
Hobhouse, T. B.
Hodges, T. L.
Jervis, Sir J.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Littleton, hon. E. R.
Macnamara, Maj.
M'Cullagh, W. T.
M'Gregor, J.
Mitchell, T. A.
Morpeth, Visct.
Morison, Gen.
Nugent, Sir P.
O'Connell, M. J.
Palmerston, Visct.
Parker, J.
Pigott, F.
Power, N.
Price, Sir R.
Raphael, A.
Ricardo, O.
Rice, E. R.
Sadleir, J.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Slaney, R. A.
Somerville, rt. hn.SirW.
Strickland, Sir G.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thornely, T.
Tynte, Col. C. J. K.
Verney, Sir H.
Ward, H. G.
Watkins, Col.
Wilson, M.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Hill, Lord M.

ELECTION RECOGNISANCES BILL.

The Order of the Day for the Second Reading of this Bill having been read,

MR. S. WORTLEY said, that as far as any decisions of that House had gone, they had been in favour of some legislative interference on this subject, and he wished the House not to dismiss it from their minds till they should have come to a deliberate decision. He was anxious that they should do justice to parties who might think themselves exposed to injustice. It was advisable to interfere, and thus avoid all difficulties with courts of law. The authority of Parliament was in favour of interference by a majority; and the Committee on the subject was unanimously in favour of some interference. The Committee, in their report, stated that one suggestion was, that the petitioners against the sitting Member should be allowed to go on, and if the recognisances were incomplete or deficient, that then the parties should be allowed to appeal to the House for redress. The objection to this course was the postponement of the difficulty in the first place, and in the second place that it left the sitting Member in uncertainty as to the recovery of his coats. These alone were strong reasons why the matter should not be left as it was. But upon a former occasion—(he apprehended he was correct when he stated it)—the Secretary of State for the Home Department, and the Attorney General, and other hon. Members on that side of the House, on the first discussion on the second reading of the Bill in that House, came to the conclusion that some interference was necessary; but the fact was, that no deliberate decision had been come to on the former occasion. It was admitted on all hands, that there was a necessity for legislation; and he did not deny that, take what course they would, the matter was encompassed by great difficulty; but he conceived that the worst course of all which could possibly be taken would be to leave the matter as it was. The Act 7 and 8 Victoria was that which formed the ground upon which legislation proceeded in regard to these election petitions. In one matter respecting that Act—namely, the deficiency of the recognisances, they had no adequate remedy afforded them. A case might go to trial without any security to the parties as to the validity of the recognisances, and hence the costs would not be awarded. Formerly the House might have given relief; but since the Grenville Act had passed and ended, and the Acts 7 and 8 Victoria had passed, and since those Acts were established, the House had parted with its control over these cases. The evil now existing, therefore, was only to be remedied by further legislation. Now, these recognisances were given and required in order to prevent frivolous petitions. There was a time when it was open to any party to petition against the return of a Member; but afterwards it was provided that no person but an elector or a candidate should be allowed to petition. By the Act 28 Geo. III., it was provided that no petition should be proceeded with unless the recognisances were tendered in a particular form, and the same was the case by the Act of Geo. IV. Then came the Act 7 and 8 Victoria, in which more binding provisions were made; and one clause enacted that, before any petition was presented, the recognisances in a particular form should be presented. And in a subsequent clause it was provided, that no petition should be presented unless the recognisances should be certified by the examiner. Now, unless that was meant to be mere verbiage, it was quite clear that the intention of the Act of Parliament and the Legislature was, that no petition should be entertained, or made the means to deprive a Member of his seat, unless it was accompanied with a security for costs and other contingencies provided for by the Act of Parliament. He thought it would be better for the House to legislate for the present Session, and to leave it to the Government to deal with the subject afterwards. There was a precedent for the course which he recommended, in the year 1835, in the case of the Leicester petition. Now, suppose by accident the examiner should certify that a recognisance had been entered into, when in fact there was nothing but a blank piece of paper, would hon. Members go the length of saying that the petition ought to be proceeded with? He apprehended, very few hon. Members would agree with that view of the case. Besides, the courts of law were bound to look at the recognisances; and if the House was desirous of maintaining its privileges, it ought to expose them to the public gaze as seldom as possible, and take the utmost precaution against coming into collision with the courts of law. He would now state the nature of the measure which he wished the House to adopt. One of the objections to the Bill of the hon. Member for Midhurst was the danger of committing the privileges of the House in any degree to the other House of Parliament. His (Mr. Wortley's) proposition to avoid that difficulty was to omit the schedule altogether, and make the present a temporary measure, providing a temporary tribunal for all petitions which might be presented during the present Session. The remainder of the scheme was simply this, that instead of in all cases sending the party before the examiner to enter into fresh recognisances, power should be given to the Committee to do that which in the Wigan case they refused to do, because they conceived they had not the power—namely, to entertain the preliminary objection to the form of the recognisance, and give a remedy to the parties. If the Committee should think the recognisance wholly invalid, the invalidity being in any degree attributable to the *laches* of the petitioners, then they would report accordingly, and no further proceedings would be taken; but if the invalidity should be traced solely to the officer of the House, then the parties ought to have liberty to amend the recognisances. If the recognisances should turn out to be merely informal, then the parties ought to be allowed to amend them on the spot; but if the petitioners should not consent, then the petition would not be proceeded with. The hon. and learned Gentleman concluded by moving that the Bill be read a second time.

Mr. BERNAL thought, that whoever undertook to introduce legislation upon this subject, ought to provide for future cases as well as for those which had occurred. There was wanted, in fact, some Act to define, and perhaps extend, the powers of the examiner. But the principal objection to this Bill was, that it would give Committees the power to decide questions of great legal difficulty; it was a pity that they had to do this now incidentally, and the House ought not to increase the instances.

Viscount MAHON said, that if the Bill, when it came out of Committee, should be presented to the House in its present shape, he would vote against the third reading; but if it were altered in the manner proposed by the right hon. and learned Member for Buteshire, it should receive his support. It was impossible to deny that the irregular proceedings in the examiner's office—be the fault whose it might—had been the cause of involving the House in very serious difficulty. Had there been no such irregular proceedings, there would have been no difficulty at all. The recognisances in each petition would have been either clearly good or clearly bad: in the former case the petition would have gone before the Committee; in the latter case the petition would have been arrested at its outset. But now the difficulty was this—that in some of the cases alleged, the recognisances were bad in themselves; but others were bad only by the *laches* of the examiner. The House was bound in fairness to protect the petitioners from the *laches* of its own officer; but it was not bound to protect them against their own ignorance or carelessness. This was the objection which he (Viscount Mahon) felt against the Bill as introduced by his learned Friend the Member for Midhurst—that it confounded the two classes of cases—that it gave the power of amending the recognisances not only to those parties who had suffered by the fault of the officer of the House, but also to those parties who had only their own ignorance, or carelessness, or possibly fraudulent intentions, to blame. To this latter part, he (Viscount Mahon) never could consent. But the Bill, as amended by the right hon. Member for Buteshire, separated the two classes of cases: it enabled each Committee to decide as to the validity of each original recognisance, but only allowed the power of amending it and substituting a right form for a wrong, whenever the error lay not with the parties themselves but with the officer of the House. To this extent even an *ex post facto* law was justifiable. Beyond this it was an act of partiality to the petitioners at the expense of the sitting Members. He (Viscount Mahon) was most anxious to avoid the chance of which the right hon. Member for Bute had spoken—the chance of any collision with the courts of law. Let the House remember how much popular resentment they had incurred, and how little of real power or real dignity they had gained, by their former collisions with such authorities. Even the smallest risk of such collision should now be carefully guarded against. It was said by the hon. Member for Rochester that the Election Committees were unfit tribunals to decide the points. He quite concurred in that opinion, and indeed had once been the person to propose that the House of Commons should wholly part with its jurisdiction in the trial of controverted elections. But still as long as the House thought proper to retain the jurisdiction, it was desirable that the tribunal to which the questions were submitted should be made as perfect as possible, and be armed with all requisite powers. The difficulty with which the House now had to contend was a temporary one, and might be met by a temporary remedy—a general or permanent Act could be passed hereafter.

Sir G. GREY felt very indifferent as to the decision which the House might come to upon this occasion. At the same time, he could not avoid declaring his opinion that the right hon. and learned Member for Bute had taken a most unprecedented course. Here was a Bill abandoned by its promoter, which the right hon. Gentleman seized upon as a sort of waif or estray, and invited the House to read a second time in order that he might have an opportunity of striking out every clause it contained. Why did not the right hon. and learned Gentleman move for leave to bring in a new Bill, in which he might embody his views? Under the extraordinary circumstances in which the House was placed with respect to this Bill, he would oppose its second reading.

Sir R. H. INGLIS said, that a few nights ago the House was placed in an unprecedented position by having the word "that" left as the only question upon which they could come to a decision; and if the right hon. and learned Member for Buteshire were allowed to have his way, the House ran the risk of being put into a somewhat analogous dilemma. The right hon. and learned Gentleman took ap a Bill which had been abandoned by its promoter, and how did he propose to deal with it? He would exhibit the Bill bodily, as the right hon. Gentleman proposed to make it; for he (Sir R. H. Inglis) had pasted paper over the parts which it was intended to strike out. All that the right hon. and learned Member intended to leave of the Bill was the clause which graciously permitted the House to repeal the Bill, if it should think proper to do so, in the course of the present Session. Should the right hon. and learned Gentleman succeed in doing what he proposed, the hon. and learned Member for Midhurst would be somewhat astonished on seeing his Bill in its new shape—

> "Miraturque novas frondes, et non sua poma."

Sir F. THESIGER observed, that, under the peculiar circumstances in which the House stood with regard to this subject, there appeared to him to be only three courses for them to adopt: either to do nothing; or to leave all questions respecting elections open for the determination of the House; or, thirdly, to legislate upon the subject. If they adopted the first, then the Select Committees would proceed with undefined powers to adjudicate on election petitions, and every question connected with them. To what would this expose those tribunals? They were statutable courts; and if they should at any time exceed their jurisdiction, he was decidedly of opinion the courts of law would have the power to issue a writ of prohibition against them. This would bring the House into collision with these courts. Would they, then, adopt the next course, and leave the question to be decided by the House itself? It had already been determined that the House was a very inconvenient and unfit tribunal before which to bring questions of the nature under consideration. What, then, remained? Why, that there should be some legislation upon the subject. He confessed he was disposed to pursue that alternative, and adhere to the Bill which had been introduced by his hon. and learned Friend the Member for Midhurst.

Mr. HAYTER had listened to the hon. and learned Member for Bute (Mr. S. Wortley) in the hope of hearing some argument to alter the opinions he held on this question; but, disappointed in that hope, he begged to call the attention of the House to the position in which they were placed by the proposition which had been made to them. The Bill of the hon. and learned Member proceeded on the supposition that the House had a right to inquire into the validity of election recognisances; but he maintained that they had no such right except in one case only. It did not thence follow that if the examiner certified a blank sheet of paper as a proper recognisance, the House could not inquire into it, for then a fraud would be committed, for which a remedy existed, as against the parties guilty of it; but he could not understand on what principle the House took on itself the character of a court of appeal from the decisions of the examiner, nor could he discover any trace of such an authority being vested in them by the Act of Parliament. The appointment of the Committee was not an adjudication on the question at issue: the reference made to them by the House was, that "they should inquire into the allegations of the petitioners" in certain cases; and from the terms of that reference they derived no authority to inquire into any matter whatever, except such allegations, and had no right even to make suggestions to the House. He would go further, and say, that the General Committee of Elections had not performed their bounden duty, inasmuch as they had not appointed a Select Committee to try the validity of the recognisances. Looking to the whole of the Act on the subject, he maintained its object had been to place the House beyond the necessity of interfering with matters which did not redound to their credit or honour; and in this point of view the present Bill was most unsatisfactory. They had the authority of the right hon. Baronet, Sir R. Peel, who was the author of the Act, for affirming that the Legislature in passing it intended to make the decision of the examiner of recognisances final and conclusive; and he hoped the House would not adopt the course of adopting, *in para matinâ*, one decision one day, and of rejecting it the next. They had already determined, in at least one case, that the examiner's report should be final; and it would not be very becoming if they were now to come to a contrary conclusion.

Mr. ROUNDELL PALMER concurred so far with the hon. and learned Member (Mr. Hayter), that he thought the Act set certain machinery in Motion, and prescribed certain things to be done, without giving to Parliament any power of stopping the one, or of interfering with the other. Once the examiner gave his decision, the House had no power to do anything but to follow a series of proceedings recited in the Act; but he certainly was not prepared to think the hands of the House should be tied altogether, and that they should not be able to correct error wherever it existed. The principle on which it was proposed to interfere was that of legislative equity; and it was not to be endured that the House should interfere to correct every flaw in favour of the sitting Members, and then to allow the latter to avail themselves of every technical objection against the petitioners. The noble Lord (Viscount Mahon) stated, that all the annoyance which had occurred arose out of the mistakes and errors in the office of examiner of recognisances; and it had been suggested in another place that fraud had occurred in the recognisances; but he could not see anything to warrant the latter assertion. The House should interfere, because by doing so they would put all the parties into the position they had originally occupied; and if the recognisances were in the form prescribed by the Act, while the sitting Members would have nothing to complain of, the petitioners would have all they wanted. The Court of Chancery would interfere in this matter if it were a private transaction. The Walsall case should, he thought, be made the subject of a special enactment, in which liberty should be given to amend the recognisances. He had felt deep pain at the remarks made at different periods of the discussion in reference to his friend the examiner. Whatever inadvertence there might have been on the part of that gentleman, the reasons stated by him for the course which he had pursued had produced a great effect on his mind; and he thought they exculpated the examiner from the charge of gross negligence which some had appeared disposed to bring against him.

MR. SHEIL reminded his hon. Friend the Judge Advocate, who had assumed the certificate of the examiner to be conclusive, that on the 7th of February, when the Attorney General was discharged from attendance on the Committee, the names of the Solicitor General, Mr. Stuart Wortley, and Mr. Hayter, were added to it; so that his hon. Friend, being a Member of the Committee himself, had it in his power to press on them those considerations which he had now urged with more ingenuity than soundness. Yet there was not a word in the report as to the certificate being final; there was no dissent on the part of his hon. Friend. The Committee set forth the opinion of Sir F. Kelly, Mr. Austen, and Mr. Peacock, which was that the judgment of the examiner of recognisances was not final. Why did the Committee not think it final? Because the finality of the certificate would destroy the Committee—the Committee could not have been appointed if the certificate had been final. The Committee was appointed on the Motion of the hon. Member for Midhurst, supported by the right hon. Member for Tamworth, and composed chiefly of lawyers. Perhaps they had not got the usual stimulus—the *quiddam honorarium.* His hon. Friend said the case was involved in a haze. How were they to clear away that haze? Legislation was indispensable. The Committee had not decided the question, neither had the House of Commons. They were not called on to pass an *ex post facto* law—a law with respect to transactions which had previously taken place. But this was a case where a tribunal must be established to decide on a question of law which had previously arisen. If there had been solid substantial error, let the party who had committed the error suffer. He conceived that legislation was indispensable.

MR. NAPIER thought a short declaratory Act ought to be passed, stating that doubts existed whether the certificate of the examiner was final, and declaring that it should be so. Such an Act would apply both to the present and to future cases.

The ATTORNEY GENERAL was satisfied from what had occurred in the debate, that he was right when he contended that it was unnecessary to have any Bill at all in the matter. He now found that there were four courses under consideration. It was impossible to overcome the argument of the hon. Member for the University of Oxford, who had urged that it was quite informal and unparliamentary to read a Bill a second time merely for the purpose of rejecting all its clauses. But the Bill before the House would do nothing. It suggested a conflict between that House and the courts of law. He doubted the possibility of such a conflict. The Bill of his right hon. Friend would do literally nothing towards providing a remedy for the difficulties in which the House was involved. There were two classes of recognisances to which objections were made—the one, such as Cheltenham, in which there was high legal authority for saying the recognisances were not bad; and the other, such as Leicester and Walsall, where it had been suggested the fault lay with the examiner, who had not adopted the forms of the House; and in neither of those classes of cases would the Bill of his right hon. Friend be operative. Its only effect would be to create a great deal of delay, and to impose upon the petitioners the expense of keeping up their witnesses, and the annoyance of having their cases undisposed of while the inquiry was pending. He regretted that there had been any canvassing on either side in this which was a purely judicial matter. It had been intended that these questions should be withdrawn from the consideration of the House; and he thought they would be acting in fatal opposition to this principle if they did not at once reject this Bill.

MR. BANKES had voted against the proposition of the hon. and learned Member for Midhurst, because he thought in insufficient for the purpose which it was intended to serve; but he would support the proposition of the right hon. and learned Member for Bute, because, though not free from difficulty, it appeared to him the best that had yet been submitted to the House.

SIR J. GRAHAM said, he had not been in the House when the Committee was appointed from which the Bill had emanated, which had originally been introduced by the hon. and learned Member for Midhurst, but which his right hon. and learned Friend the Member for Bute now sought to mutilate with a view to changing its provisions. He must say that he was not conscious of any canvassing with reference to this Bill; that he was not aware of any party bearing that it had; and that he considered it entirely a judicial question. He thought the expression of the Judge Advocate was a very happy one, that much mist surrounded this subject. It had been with much doubt and hesitation that he, as an unlearned Member, approached the question; and, placing as he did much reliance on the judgment of the Gentlemen of the long robe, he had hoped to derive important information from them during the discussion. He thought he had heard the opinions of seven eminent lawyers on the present occasion. On the preliminary point as to whether any legislation on the subject was necessary, the Gentlemen of the learned profession were nearly equally divided. A majority, he believed, were in favour of legislation. But, assuming that legislation was necessary, there was great difference of opinion as to the mode of legislation that should be adopted. First of all, there was the Bill as it had emanated from the Committee, resting upon the high authority of the hon. and learned Member for Midhurst. From the plan thus recommended, with the concurrence of the Committee, his right hon. and learned Friend the Member for Bute entirely dissented; and he introduced them to forego the opinion of the Committee — to forego the plan introduced by the hon. and learned Member for Midhurst, and to substitute in its place a plan which had been deliberately considered by the Committee, and as deliberately rejected. Then came the hon. and learned Member for Abingdon (Sir F. Thesiger), who, in discussing the subject, and in dealing incidentally with the question as to whether legislation was necessary or not, had held out a sort of threat, which he (Sir J. Graham) confessed, even amidst the mist which surrounded the case, did not terrify him, that if they proceeded without legislation, some injunction, *mandamus*, or prohibition, might come down on them from the courts of law. He certainly was not anxious to come into collision with the courts of law; but he thought the House should judge for itself on such a question without any fear of such prohibitions; and if any inferior court presumed so to interfere, the House would know well how to deal with any such violation of its privileges. They next had the speech of the hon. and learned Member for Plymouth (Mr. R. Palmer), a speech remarkable for its clearness and ability; and that hon. and learned Gentleman did not approve either of the original proposition sanctioned by the Committee, or altogether of the measure now before the House, and thought there should be special legislation for the case of Walsall. Then came the Attorney General and the Judge Advocate, who gave reasons which the idleness of his (Sir J. Graham's) growing age predisposed him to favour, and which he was inclined to adopt. They proposed to deal with the matter *brevi manu*, and recommended that the House should do nothing at all. He could not make out exactly what was the proposition of the Master of the Mint (Mr. Sheil), but he seemed to start a new proposition somewhat different from any suggestion previously laid before the House. And, last of all, there was the Cursitor Baron (Mr. Bankes), who was ready to vote for another Committee, though he admitted the question was not free from difficulty. Now, really, if they meant to do anything at all in this matter, by all means let them try a Committee, and let that Committee be composed of the learned Gentlemen to whom he had just referred. There was the Cursitor Baron in his chair, the Attorney General, the Judge Advocate, the Master of the Mint, the Member for Bute, the Member for Abingdon, and the Member for the University of Dublin. If such a Committee was appointed, he would certainly, as a matter of curiosity, seeing strangers would not be excluded, avail himself of his privilege of being present at the discussion; but, whether present or absent, he should wait with intense anxiety for the report of that Committee. He adhered to the view that, having already done so much on this question, they should now permit it to remain as it was. He thought the passage which had been read from the speech of the right hon. Gentleman the Member for Tamworth, who originated the Act of Parliament, was quite conclusive as to what was the intention of the author of the measure; and he still thought that the words of the Act fulfilled all the purposes intended by its promoters. He was for staying where they were, by no means daunted with the threat of the interference of the courts of law in this matter; and he should therefore support the proposal of the Secretary of State, and vote against the Bill.

House divided:—Ayes 112; Noes 80: Majority 32.

List of the AYES.

Acland, Sir T.
Adderley, C. B.
Alexander, N.
Anstey, T. C.
Bagge, W.
Bagot, hon. W.
Bailey, J. jun.
Bankes, G.
Barkly, H.
Barrington, Visct.
Bennet, P.
Beresford, W.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Blake, M. J.
Boldero, H. G.
Bolling, W.
Boyle, hon. Col.
Bremridge, R.
Bright, J.
Brisco, M.
Brockman, E. D.
Burroughes, H. N.
Chichester, Lord J. L.
Christy, S.
Clay, J.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W. Bl
Coke, hon. E. K.
Colvile, C. R.
Cripps, W.
Davies, D. A. S.
Devereux, J. T.
Duncombe, hon. O.
Duncuft, J.
Edwards, H.
Fagan, W.
Farrer, J.
Fellowes, E.
Floyer, J.
Foley, J. H. H.
Forbes, W.
Fortescue, C.
Fox, R. M.
Fuller, A. E.
Gardner, R.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gooch, E. S.
Greene, J.
Grey, R. W.
Grogan, E.
Gwyn, H.
Halsey, T. P.
Hamilton, Lord C.
Heathcoat, J.
Henry, A.
Hervey, Lord A.
Hildyard, R. C.
Hudson, G.
Ingestre, Visct.
Jackson, W.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Kershaw, J.
Knox, Col.
Law, hon. C. E.
Lowther, hon. Col.
Mahon, The O'Gorman
Mahon, Visct.
Meux, Sir H.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Newry & Morne, Visct.
Nugent, Sir P.
O'Brien, Sir L.
O'Connor, F.
Packe, C. W.
Palmer, R.
Peto, S. M.
Pigott, F.
Pilkington, J.
Power, N.
Raphael, A.
Renton, J. C.
Sadleir, J.
Scholefield, W.
Sheil, rt. hon. R. L.
Sibthorp, Col.
Simeon, J.
Smith, J. B.
Smyth, J. G.
Somerville, rt. hn. Sir W.
Spooner, R.
Stafford, A.
Stephenson, R.
Stuart, H.
Sullivan, M.
Turner, G. J.
Tyrell, Sir J. T.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, H. S.
Walmsley, Sir J.
Westhead, J. P.
Williams, J.
Williams, T. P.
Willoughby, Sir H.
Wilson, M.
Wyld, J.

TELLERS.
Wortley, rt. hon. J. S.
Thesiger, Sir F.

List of the NOES.

Adair, R. A. S.
Arkwright, G.
Armstrong, Sir A.
Baring, rt. hon. F. T.
Bellew, R. M.
Bouverie, hon. E. P.
Bowring, Dr.
Bramston, T. W.
Brotherton, J.
Buller, Sir J. Y.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Clerk, rt. hon. Sir G.
Clive, H. B.
Cowper, hon. W. F.
Craig, W. G.
Douglas, Sir C. E.
Duff, G. S.
Duncan, G.
Dundas, Sir D.
Ebrington, Visct.
Evans, W.
Ferguson, Sir R. A.
Fordyce, A. D.
Forster, M.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Haggitt, F. R.
Hall, Sir B.
Hallyburton, Lord J. F.
Hastie, A.
Hastie, A.
Hayter, W. G.
Heathcote, Sir W.
Herries, rt. hon. J. C.
Heywood, J.
Hill, Lord M.
Hobhouse, T. B.
Hood, Sir A.
Jervis, Sir J.
Langston, J. H.
Lewis, G. C.
Magan, W. H.
Marshall, W.
Martin, C. W.
Mitchell, T. A.
Morris, D.
Mure, Col.
Napier, J.
Norreys, Lord
O'Connell, M. J.
Ogle, S. C. H.
Palmer, R.
Parker, J.
Patten, J. W.
Plowden, W. H. C.
Price, Sir R.
Ricardo, O.
Rice, E. R.
Rich, H.
Seymour, Lord
Shelburne, Earl of
Smith, J. A.
Sotheron, T. H. S.
Strickland, Sir G.
Stuart, Lord D.
Talbot, C. R. M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Townley, R. G.
Watkins, Col.
Wawn, J. T.
Wood, rt. hon. Sir C.
Wood, W. P.
Yorke, H. G. R.

TELLERS.
Bernal, R.
Inglis, Sir R. H.

Bill read a second time.

House adjourned at a quarter to Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, March 29, 1848.

MINUTES.] NEW MEMBER SWORN.—For Kinsale, Benjamin Hawes, Esq.

PUBLIC BILLS.—1° Schoolmasters (Scotland).

Reported.—Election Recognizances.

PETITIONS PRESENTED. From Electors of the Western Division of the County of Gloucester, for Inquiry into the Gloucester County (Western Division) Election.—By Mr. Wilson Patten, from Whalley, in the Diocese of Manchester, against the Roman Catholic Relief Bill.—By Mr. Aglionby, from Members of the Society of Staple Inn, and by other Hon. Members, from several Places, for a Repeal of the Duty on Attorneys' Certificates.—By Sir John Duckworth, from Governors of the Devon and Exeter Hospital, and by Mr. Spooner, from several Charitable Institutions in Birmingham, for Exemption of Charitable Bequests from the Legacy Duties.—By Sir P. Egerton, from Northwich (Chester), against the Property Tax Bill.—By several Members, from various Lodges of the Independent Order of Odd Fellows, Manchester Unity, for an Extension of the Benefit Societies Act.—By the Earl of March, from Distillers in Banffshire, respecting the Bonding of British Spirits.—By Mr. Heald, from Haggerstone (Middlesex), and by other Hon. Members, from several Places, against the Diplomatic Relations with the Court of Rome Bill.—By the Earl of March, from the Presbytery of Strathbogie (Banffshire), for Regulating the Licensing System (Scotland).—By Lord Melgund, from Greenock, against Repeal of the Navigation Laws.—By Sir P. Egerton, from Northwich (Chester), for Alteration of the Public Health Bill.

KINSALE ELECTION.

The Clerk having read from the journals of the House an extract, from which it appeared that Mr. B. Hawes took the oaths and his seat for the borough of Kinsale on the 15th of March, and having also read the certificate of the Clerk of the Crown, dated the 18th of March, which intimated the hon. Gentleman's election for that borough on the 11th of March,

MR. GOULBURN rose to move the appointment of—

> "A Select Committee to inquire whether the Oaths required to be taken at the Table by Members of this House have been duly taken by Benjamin Hawes, esq., and to report their opinion thereupon to the House."

He was sure the hon. Gentleman would give him credit for having brought forward the Motion, not from any personal motive, but from a sense of public duty. The course taken by the hon. Gentleman and the officers of that House had, however, raised a question as to the right of the hon. Gentleman to sit and vote in Parliament; and, as there was no strictly analogous case, he thought it extremely desirable that a Committee should be appointed to consider the circumstances of the transaction, for the purpose of laying down a rule for the guidance of the House in similar cases. It was well known, that every Member of that or the other House of Parliament ought to be sworn at the table; and the omission of any Member to be sworn involved an incapacity to sit in the House, and other penalties for which he was answerable under the general law of the land. Cases were recorded in which parties, having failed to comply with the requisite formalities, had been obliged to resign their seats. New writs had been moved for the election of Members in room of those who had failed to comply with the rules; and, in consequence of the omission on their part being a mere act of inadvertency, the House had proceeded to pass an Act of Indemnity, which freed such Members from the penalties which they had incurred. It had been suggested to him, that he ought to move for a new writ in the case of Kinsale. But there were distinctions in this case which made it different from those which had preceded it. He thought, therefore, it would be much better that all discussion upon the point should be calmly conducted in a Committee, where they would have the means of obtaining the necessary information, which could be only partially adduced in the course of a debate in that House. He had, however, preferred a course which he trusted the House would agree in adopting, viz., that of referring the case to a Select Committee, for the purpose of inquiring into the circumstances. The facts of the case were simply these:—The hon. Gentleman (Mr. Hawes) was elected for the borough of Kinsale on the 11th inst.; on the 15th he presented himself at the table of the House to be sworn as Member for that borough; and it appeared from the papers which had just been read by the Clerk, that his return was not certified by the Clerk of the Crown till the 18th, three days after the hon. Gentleman had taken the oaths at the table. Now, it might be contended on the one side, that as the hon. Gentleman had been elected by a majority of votes at Kinsale, and as he naturally believed that the returning officer had made a proper return of that election, he was, therefore, the Member for Kinsale within the view of the statute; and that by his having taken the oaths since that period he had been declared and acknowledged to be a Member of that House. But he thought that it could be equally maintained, on the other hand, that the provision of the law which required that a Member should take the oaths at the table had not been fulfilled until the House had the means of knowing and recognising the hon. Gentleman as a Member of the House. The only means the House had of recognising him was by ascertaining that the return had been transmitted to the Crown Office. The Clerk of the House had no right to administer the oath to any individual who came to the table to be sworn unless he (the Clerk of the House) had evidence that the party so presenting himself had been duly elected; and he (Mr. Goulburn) need not inform the House that an oath administered by a person incompetent to administer it, was, in the eye of the law, no oath whatever. Now what evidence had the Clerk of the House for believing that on the day the hon. Gentleman (Mr. Hawes) was sworn he was Member for Kinsale? The 7th and 8th William III. required that the return should be sent to the Crown Office; and the grounds for that requirement were, that the transmission of the return was the necessary proof of the election that had been made; and until the House was in possession of that proof, the Clerk of the House was not authorised to administer the oath. The oath, therefore, was altogether null and void. That the oath should not be taken before the return was made to the Crown Office, was established by various circumstances. In the first place, no instance had occurred from 1696, when the Act for making the return to the Crown Office was passed, until the present, of a Member having been sworn before his return had been made to the Crown Office. In 1806 Sir John Newport was debarred from taking his seat on that very account; and Mr. Fox having complained to the House of the grievance to which Sir John Newport had been subjected on account of the neglect of the returning officer, that functionary was called to the bar of the House to answer for his negligence; but it was not until the return was made that Sir John Newport was allowed to take his seat. In 1831, two Members were elected for Great Grimsby; but the returning officer having omitted for some time to make the return, they were not permitted to take their seats until the duty had been performed. His neglect was also made a subject of complaint in the House. This circumstance, occurring as it did at a period of great political excitement, showed that the oath could not be taken before the return was received at the Crown Office. Indeed, it had been always admitted that the person elected was not a Member within the purview of the statute until the return was made. Perhaps it might be said on the other hand that the transmission of the return to the Crown Office was a mere matter of form, which might be dispensed with, and that a Member might be sworn, even though that return had not been received. He (Mr. Goulburn) doubted the validity of that opinion. In the case of a double return neither of the Members were permitted to sit in the House until the House was satisfied which of them was entitled to that honour. If the opposite principle were admitted, then, in case of a double return, the person who arrived in London first and took the oath at the table, would be the Member, in spite of the resolution of the House that in such cases neither party should be admitted till the House had decided as to which of them the right of sitting belonged. The House had, in the Pomfret case, decided that if a Member was duly elected, but not properly returned, he should not sit until the return was received at the Crown Office. But it appeared that the hon Gentleman (Mr. HAWES) did not consider himself entitled to sit until the return was received. [Mr. HAWES: I did.] If so, then why did the hon. Gentleman absent himself from the House on three nights, when the important business before the House required the fullest attendance of Members of the Government? The hon. Gentleman, as he had already stated, was sworn on the 15th inst. Finding that the return had not then been received at the Crown Office, the hon. Gentleman forbore to appear in the House on the succeeding Wednesday, Thursday, and Friday, notwithstanding the importance of the business then before them, and did not appear until after the return had been received at the Crown Office. But if the hon. Gentleman was incapacitated from appearing in that House antecedently to the receipt of the return, surely the oaths ought to have been taken by him subsequently to the removal of this incapacity. He stated these facts, subject to further inquiry before a Committee; but he thought he had stated sufficient to show that further inquiry was necessary.

MR. HAWES did not rise to oppose the Motion of the right hon. Gentleman. On the contrary, he quite assented to his general opinion that an inquiry should be instituted in the case; and he had not the smallest fear of the result. He thanked the right hon. Gentleman for having given him previous notice of the Motion he had now made; and he assured him at the same time that he entertained no idea that he had been actuated by any personal or party feeling in bringing it forward. He had a very plain statement to make to the House. He admitted that on the 11th instant he was duly returned and declared a burgess to serve in the present Parliament for the borough of Kinsale; that on the 15th he had presented himself at the table of the House, in order to be sworn and take his seat, as he believed he was bound to do at the earliest possible period after his election. He had never previously been elected during a Session of Parliament, nor was he aware there was any difference in the practice as regarded the swearing in of Members during the Session of Parliament from that which prevailed at a general election; and, certainly, though he had several times been sworn in after a general election, he had never been called upon to produce a certificate of his return, or to prove that he was a Member of the House by a reference to the Crown Office. He had acted on the recent occasion precisely as he had acted on all former occasions. He had been introduced according to the forms of the House, and had taken the oaths and his seat in the usual way; and he contended, in opposition to the right hon. Gentleman, that upon these forms being complied with, he was entitled to all the rights and privileges, whatever they were, of a Member of that House. He admitted, moreover, that the return was not received at the Crown Office until the 18th. He left these facts entirely to the decision of the House. He would interfere no further. At the same time, he begged the House distinctly to understand that, in absenting himself, as he intended to do, while this matter, which affected himself personally, was pending, he waived no right, he abandoned no privilege; that he should feel it to be his duty to assert by every fair and proper means all the rights of those constituents who had sent him to Parliament, whatever might be the consequences. The hon. Member then left the House.

SIR G. GREY said, it appeared to him that, though there had undoubtedly been a departure from the ordinary, although not the universal, practice of the House—for he had just had his attention called to a case somewhat similar—no actual illegality had occurred in the mode of taking the oaths in this instance. His hon. Friend (Mr. Hawes), finding that a departure from the ordinary practice had occurred, had abstained from voting during the three days between his taking the oaths and the arrival of the return at the Crown Office, not under any legal advice, but simply out of deference to that House. Without entering into the question which had been raised by the right hon. Gentleman (Mr. Goulburn), he admitted it was right that a Committee should be appointed in order to inquire into the subject, thinking it was very desirable that the practice should be ascertained, and one general and uniform system adopted. In consenting to the Committee, however, he did not wish to be understood as prejudging the question.

Motion agreed to.

APPEALS IN CRIMINAL CASES BILL.

Order of the Day read for the Second Reading of the Appeals in Criminal Cases Bill.

MR. EWART was not aware whether his right hon. Friend the Secretary of State for the Home Department intended to object to the second reading of this Bill. Since he had introduced it, a noble Lord in the other House of Parliament, and a Member of the Government (Lord Campbell), had introduced a Bill of a somewhat kindred character. The Bill of that noble Lord, however, proposed to give a power of appeal on questions of law only. His (Mr. Ewart's) Bill proposed to give a power of appeal on questions of fact. There was, therefore, a considerable difference between the two Bills. Since he had introduced this Bill, he had received numerous suggestions from hon. Gentlemen for its amendment. Those alterations however, did not affect the main principle of the Bill, and could be all duly considered in Committee. He must say that he regarded this as a matter well worthy the consideration of Government; and he hoped that, whatever course the right hon. Gentleman the Secretary of State for the Home Department intended to take in regard to it, it would be a course which would not be opposed to the principle of the Bill; but rather that he would admit the soundness of the principle, although he should delay the consideration of the mode of carrying it into effect. It would depend upon the nature of the right hon. Gentleman's statement what course he should take with regard to the further progress of this Bill.

SIR G. GREY admitted the importance of the question which his hon. Friend had submitted to the consideration of the House in the Bill which then stood for a second reading; but this could not be considered as an isolated question. It was connected with other important matters. It was connected, for instance, with the establishment of a public prosecutor, and it was also essentially connected with the establishment of a new court of appeal, to be constantly sitting, in order to carry out the object which the hon. Member wished to see effected. It was true that he had declined the responsibility of introducing any measure at an early period of the Session; but his hon. and learned Friend must be aware that a Bill had been introduced into the House of Lords proposing material alterations in the mode of reserving questions of law, and obtaining a satisfactory decision of the Judges upon those questions, and giving the prisoners the benefit of those decisions, if they were in their favour, by entering a verdict of "not guilty," in lieu of the present plan—which was very inconvenient, and which did not give full justice to the prisoners—of obtaining the opinions of the Judges in an irregular and private manner; and if they thought the prisoners were not properly convicted, of recommending them to the pardon of the Crown. It was very probable that a Committee of the House of Lords would be appointed to consider the question, before whom the Judges might be examined; and he should be sorry to assent to the principle embodied in the measure of his hon. and learned Friend until this Bill before the House of Lords had been fully considered. He therefore thought that his hon. and learned Friend would exercise a sound discretion in postponing his measure until the Bill was before the House.

Second reading of the Bill postponed.

ELECTION RECOGNISANCES.

The Election Recognisances Bill went through a Committee. There were three divisions on the clauses; but as the debate was principally of a conversational character, and referred to matters of detail, we refrain from inserting it.

FRAMEWORK KNITTERS.

Sir H. HALFORD, pursuant to notice, moved for—

> "The appointment of a Select Committee to take into consideration the Report and Evidence laid before Parliament in 1844 by Her Majesty's Commissioner for inquiry into the condition of the Framework Knitters, and to make such further inquiries as may appear necessary, in order to ascertain whether any, and, if any, what legislative measures can be devised for the relief of their long-continued distress."

The hon. Member observed, that the present distressed state of the framework knitters was not to be imputed to any temporary or transitory causes; and he hoped that the House would at once see the justice and expediency of acceding to his Motion. On this subject the Commissioner entered into a full inquiry, and his report had been laid on the table of the House. The report fully bore out the allegations of the petitioners in 1843 as to the extent of their distress, and the grievances and depression under which they laboured. An Act had been passed to carry out a portion of the views of the petitioners; but that Act had been frustrated in consequence of the technical construction put upon it; but where it had been fairly brought into operation a beneficial result had been the consequence. Last year he had proposed a Bill on this subject; and the Motion he had now to make to the House was to take into consideration the report and evidence laid before Parliament in 1844, and to make such further inquiries as might appear necessary to ascertain whether any legislative measures could be devised for the relief of the long-continued distress of the framework knitters. He did not know whether any objection would be made to this proposal; but let it not be said that it would be mischievous because it would create exaggerated hopes, for the Commission had already raised and justified hopes, and all he desired was to see the legitimate consequences of that Commission carried out. The House, surely, would not sanction such a mockery as that of entering into an inquiry into the distress of a particular class, and then letting a large blue book be the only result. When the Commission was applied for, an official answer was given, cautioning the parties against entertaining too sanguine hopes; but that answer at the same time set forth the conditions on which the petitioners might be allowed to entertain hopes; for the Government admitted that alleged grievances and oppressions formed a fit subject for public investigation, and that when they were proved to exist, it was the imperative duty of the Legislature to afford every just and practicable remedy. Now, he maintained that grievances and oppressions in respect to the condition of the framework knitters had been proved to exist. It might be said that the Commissioner recommended no specific remedy; but he was justified in saying that that arose from the circumstance of the Commissioner thinking that such recommendation was not within his province. Admitting, for the sake of argument, that grievances and oppressions were not made out by the report, further inquiry was nevertheless necessary to satisfy the minds of this miserable and wretched body of persons. Some might object to Parliament taking any steps in this matter, on the abstract ground that non-interference in matters of trade was the proper course; but he protested against an abstract principle of that sort being so far allowed to prevail as to exclude all consideration of the specific circumstances of particular cases. It was argued that the condition of workmen must always be governed by the relation of the supply of labour to the demand; but in the particular trade to which his observations had reference the excess of the supply of labour, he contended, was influenced by the vicious system carried on. Such was the conclusion at which the Commissioner had arrived, for he observed that this excess of supply was very powerfully influenced and encouraged by the system of frame-rents, and the long-recognised custom of heavy deductions, on one pretext or another, from the wages of the workpeople; which made it the interest of employers to spread any given amount of work among a larger number of workmen than was necessary to its performance; a practice that was further greatly facilitated by the superabundant amount of machinery which had been created and brought into the trade by others than the legitimate employers in it, as profitable investments of capital, induced by the customary exorbitant rent of the frames. This practice, he believed, admitted of correction. He did not know that it was necessary for him to go further into the subject; and he trusted that the right hon. Gentleman the President of the Board of Trade would not object to the Motion.

Mr. HUME said, that nothing was more unpleasant to him than to offer any opposition to a measure which was represented as one for the improvement of the working classes. If there was anything to which he had more particularly directed his attention, it was to the removal of every kind of oppression from the working man, and to the establishment of perfect liberty for masters and men to make their own bargains. The hon. Member had introduced a Bill on this subject, and failed in carrying it; and the circumstances of the population rendered it impossible for that House, by any inquiry or by any means at its disposal, to give the relief sought for. He put it to the House whether the hon. Member was not seeking to introduce a principle of extreme danger? In a neighbouring country they might see the effects of such a principle. There the workmen had come forward and applied to the Government, and the Government had been foolish enough to promise wages not only to the industrious, but to all that were idle. The hon. Member's proposition was one of the same sort; and he knew of no proceeding more dangerous than that of the Government giving power to the mass of the community to dictate to the masters who employed them as to the way in which they should carry on their work. Before another year was over they would discover the effects of this interference on the part of the Provisional Government of France in respect to wages. The masters were quitting their occupations, and, if the system continued, there would not be in France at the end of five years any manufacturers except for articles of domestic consumption. Already a deputation of manufacturers had applied to the Provisional Government for protection in favour of their produce, on the ground that they would be no longer able, on account of the limitation of day labour to 10 hours, to compete with England and other countries. He mentioned this circumstance to show the absurdity of all such interference. There had already been attempts made to relieve the unfortunate body of persons to whom the present Motion referred. There had been "truck" Bills, and regulation Bills, but what had been the result? They had failed. Whilst masters and men were at liberty to make their own bargains, every interference with them was mischievous. There had been three inquiries respecting the handloom weavers, and, after all, every attempt at legislation on the subject was obliged to be given up. He concurred with the Commissioner that it would be utterly impossible to relieve the framework knitters by any legislative measure. No permanent improvement could be looked for except in the diminution of their numbers, or in such an extension of the manufacture as would affect the amount of employment. Now, every interference by law in the shape of dictation to the masters was likely to prevent the extension of the manufacture. If no inquiry had as yet taken place on the subject, he should have been the first to desire the fullest information; but as that information had been already obtained, he was of opinion that the proposed inquiry could effect no good, whilst the principles advocated by the hon. Member, if acted upon, would bring ruin on the trade. He therefore appealed to the Government not to give any countenance, by acceding to the Motion, to such principles.

Sir J. WALMSLEY advocated the proposed inquiry. If there was danger in legislation on this subject, there was also danger in refusing legislation. In the Midland Counties there were about 36,000 frames, each of which sustained from three to four individuals, so that there the population employed in and dependent on framework knitting amounted to about 120,000 or 130,000 souls. No man would deny that for a long period these poor people had been in a state of great destitution, and he was persuaded that the master manufacturers themselves would join in the inquiry. He considered that the House was deeply indebted to the hon. Baronet for bringing this subject under their consideration, and he had no doubt they would agree to the appointment of a Committee. He hoped the Government would assent to the Motion, for he believed that such an inquiry as would be instituted by the Committee would be satisfactory both to the manufacturers and to the workmen.

Mr. NEWDEGATE observed, that as he had lived in the immediate neighbourhood of a large district where framework knitting was very extensively carried on, he possessed some knowledge of the situation of the persons engaged in that employment, and he must express his hope that the House would agree to the appointment of a Committee. He had been surprised at the observations of the hon. Member for Montrose, who had referred to recent events in France. Did the hon. Gentleman wish to see the scenes which had recently occurred in France repeated in this country? He (Mr. Newdegate) contended that it would be unjust, upon the abstract principles advanced by the hon. Member for Montrose, to refuse inquiry into a subject which the House had repeatedly acknowledged was one that deserved investigation. The hon. Member for Montrose had contended that the Ten Hours Act which had been adopted by the Legislature involved an improper interference with labour. He thought that measure had produced most beneficial results. He considered that every Englishman had reason to be proud of the conduct of the working classes in the manufacturing districts; and he put it to the House whether, when the Ten Hours Act had produced so much satisfaction and contentment, they were now prepared to adopt a precisely opposite course of legislation.

Dr. BOWRING said, the hon. Member for Leicester had spoken of the danger of refusing inquiry into this subject; but he thought there was a far greater danger which the House ought to avoid—that of deluding the people into the belief that the Legislature could provide a remedy for all the grievances of which they complained. Experience had proved that legislative interference between masters and workmen could never be completely successful. With regard to the Ten Hours Act, he might state from his own knowledge that many of the working classes—even of those who had been most clamorous for the measure—were now convinced of its impolicy; and he had no doubt that the manufacturing operatives would petition that House for the alteration of a law which had brought severe calamities upon them. He believed that great mischief might be done by exciting expectations among the working classes that it was possible, by legislative interference, to prevent the depreciation of their wages under any and all circumstances. A comparison had been made between the conduct of France and England, and it had been said that the non-interference of the French Government on this subject had caused great distress and discontent among the working classes. But he begged to remind the House that the experiment of interference between masters and men had been tried at Lyons, and the result of that interference was a disastrous and fatal struggle between the two classes. He hoped, therefore, that the House would not assent to the Motion of the hon. Member for Leicester.

Mr. SLANEY thought that if they granted the Committee, they should at the same time state distinctly that they did not at all intend to give any countenance to the opinion that by legislation it was possible to improve the condition of the working classes by obtaining higher wages for them. But if the inquiry were to be directed to the frauds committed on the working classes, then he apprehended that, with respect to that matter, which was widely different from the other, it might be possible to prevent fraud, and thereby improve their condition. Payment by truck, which was one subject of complaint, was a great and enormous evil, against which the working classes had at present no means of defending themselves; for he knew, by inquiry in many parts of England, that the laws against truck were not effectively enforced. If the result of an inquiry should be to prevent frauds in this respect, it would go far to convince the humbler classes that the House was determined to throw over them the shield of its protection in every case of real grievance which they could reach. Even if it should turn out that no great practical benefit would result from the Committee, would it not be of great advantage to have satisfied those people, and to show them that they were willing to remedy their grievances where they could? One of the great evils persons engaged in manufacturing employments had to complain of, was the fluctuation that took place in the demand for labour. With reference to this, it was most important to give the humble classes an opportunity of ensuring themselves, from their savings in a period of high wages, against the recurrence of periods of low wages. An Act had been passed some years since giving increased facilities for this purpose, in pursuance of recommendations made by a Committee appointed upon his Motion. Many societies had been formed under its provisions which had been found most useful; and if it were possible to remove the defects that had been found to exist in the Act, and give greater extension to its provisions, he thought a very important object would be gained. He hoped Ministers would assent to the appointment of the Committee.

MR. LABOUCHERE said, it was not without real concern that he felt it his duty to oppose the Motion. He gave full credit to the statements which had been made as to the distress that existed among the class of persons to whom the Motion referred; and he readily acknowledged that they had a claim upon the consideration of the Government and of the Legislature by their general good conduct, often under the pressure of very severe privation and distress. If he could make up his mind that the appointment of this Committee would really be beneficial to that large class of persons, so far from opposing it, no man would be more ready to give his cordial support to the Motion; and if no previous inquiry had been instituted on the subject, he would have run the risk—whatever it might be—of exciting hopes and expectations which might not ultimately be fulfilled, by assenting to some such inquiry as that which was proposed. But so recently as three years ago a Commission was appointed, which instituted a very full inquiry into the whole question. That inquiry was conducted by Mr. Muggeridge, who was appointed by the Board of Trade, and who had presented to Parliament a very full and able report, accompanied by ample information in the shape of evidence; and he believed that it was impossible for the House to obtain more ample, correct, and minute information than had been afforded by Mr. Muggeridge. Now if, under these circumstances, the House agreed to the appointment of a Committee to ascertain what legislative measures could be devised to relieve the distress existing among the framework knitters, he feared they would give currency to an opinion which he believed would be entirely unfounded—namely, that it was in the power of the House, by legislative measures, to strike at the root of those causes which had hitherto produced so much distress among this class of operatives. Mr. Muggeridge referred, in his report, to the causes which had produced the distress existing among the framework knitters; and he stated that this particular class of labour was open to almost every unskilled labourer; for as no proficiency or experience was requisite to enable a person to perform the work properly, the result was that the moment there was a glut of labour in any branch of the industry of the country, the unemployed labourers were able to resort to this trade of framework knitting, without any previous education or training. Nay, more, the Commissioner stated that this was a species of industry that could be carried on, to a very great extent at least, by women and children in their own houses. Could we, then, be surprised that this particular description of labour should at all times be liable to periods of great depression and distress? Could we suppose, if that statement were true, as he believed it was, that any legislative measures would remove a cause of distress of that nature? The Commissioner stated that there were but two modes in which, in his opinion, this distress could be permanently remedied; one was the reduction of the numbers employed in this manufacture; the other an extension of the manufacture itself; and then he added—

> "An extension of the manufacture is most likely to be attained by the improvement of which it appears susceptible in the manner of conducting it; by a more judicious appropriation and division of labour, whereby the cost of production would be diminished; and by an increased application of taste and skill in the designs and patterns of the articles manufactured, especially in the fancy branches of the trade;"—

not at all adverting to these subjects as matters to which legislation could apply, but as to be attained by internal arrangements in the trade itself, and by experience and a good understanding between employers and labourers. The hon. Baronet (Sir H. Halford) proposed a Bill upon the subject last year; but those who recollected it would agree that it afforded no very favourable specimen of the power to remedy by direct legislation the evils the hon. Baronet complained of. Almost every Gentleman who expressed his opinion on the second reading, acknowledged that however much he might desire to attain the end the hon. Baronet had in view, it would be quite impossible to do so by the measure proposed. The hon. Baronet's measure interfered in the most violent manner between the employer and the working people, and imposed heavy penalties on the employment of middlemen in this trade—a class of persons most useful in this and in other trades, against whom a most unfounded prejudice existed in some quarters, but whom he believed to be quite necessary to the right conduct of business of this description. The hon. Baronet absolutely proposed by direct enactment to prevent their being employed, and also to prevent the letting out of frames for handloom labour to the operatives. The hon. Member for Shrewsbury (Mr. Slaney) had said, that though he did not anticipate good from any large and general measure of this description, yet there were some minor and incidental points on which Parliament might legislate with advantage for the distressed operatives; and he adverted to some amendment in the system of savings-banks, and to some alleged frauds in regard to the contracts between masters and workmen in this branch of manufacture. But it would be most unwise to appoint a Committee of Inquiry with such large powers as now proposed, with a view to attain such very narrow and limited objects. If any hon. Member, not proposing a Committee of Inquiry, but making use of the full and ample materials before the House, should offer a measure to remedy any frauds said to exist in this trade, or any defect in the system of savings-banks, such a measure, when brought forward in the shape of a Bill, would receive the most attentive consideration of the Government; it was to a general proposal of a Committee of Inquiry upon a subject so recently investigated by a Commission that he (Mr. Labouchere) objected. That would only be holding out hopes and expectations of legislative remedies which Parliament could never supply. Under these circumstances, however painful it might be to refuse an appeal made on behalf of a class of his fellow-subjects, of whose good conduct he was well aware, whose distress he admitted, and whose condition he would gladly ameliorate as far as lay in his power, he felt it in his duty to vote against the proposition.

Mr. PACKE thanked the hon. Member for Shrewsbury for putting the subject in its right light. It was not a mere question of raising wages, nor had it anything to do with the short-time question; but here were 100,000 persons employed in a particular manufacture, who were suffering under the grossest tyranny and oppression, and unable really to get the true and proper amount of their wages fairly into their hands. If the Committee were granted, legislation would result. The only error made by the hon. Member for Shrewsbury was in supposing that there were times when these men were in high wages. Why, the wages of men, many of them with families, ranged from 5*s.* to 6*s.* a week.

Mr. GARDNER considered that as both masters and men wished for an inquiry, it was too bad to refuse it. Although it might be very desirable not to induce the working classes to suppose that legislation could do everything for them, there was also a danger in this age of the application of abstract principles of science without due allowance for circumstances.

Colonel SIBTHORP thought the division would show who were the real friends of this unfortunate class, and who were their pretended friends—Gentlemen who talked about the danger of creating a sort of war between master and operatives, but had never been afraid to raise their voices in the Anti-Corn-Law League to create a difference between landlord and tenant. These Gentlemen were afraid of a Committee to examine into the frauds committed by masters upon their workmen; could they show any such fraud on the part of landlords towards their tenants, or tenants towards their labourers?

Sir H. HALFORD deeply regretted the course taken by the Government. He had been met with the abstract theory of "supply and demand;" but according to that theory there should have been a process of self-adjustment after a time, whereas here a whole generation had passed away, and the excess of supply was as great as ever. Allusion had also been made to French affairs, as if there was any danger of our imitating French legislation in regard to workmen! The greatest danger lay in refusing all inquiry, where fraud and oppression existed.

The House divided:—Ayes 51; Noes 85: Majority 34.

List of the Ayes.

Anstey, T. C.
Barrington, Visct.
Bernard, Visct.
Brackley, Visct.
Broadley, H.
Brotherton, J.
Bruce, C. L. C.
Cayley, E. S.
Christy, S.
Colvile, C. R.
Courtenay, Lord
Cowan, C.
Crawford, W. S.
Dod, J. W.
Dodd, G.
Duncuft, J.
Dundas, G.
Edwards, H.
Egerton, W. T.
Fagan, W.
Farrer, J.
Floyer, J.
Forbes, W.
Frewen, C. H.
Gardner, R.
Goring, C.
Granby, Marq. of
Grosvenor, Earl
Harris, hon. Capt.
Henley, J. W.
Hornby, J.
Law, hon. C. E.
Lindsay, hon. Col.
Mackenzie, W. F.
March, Earl of
Newdegate, C. N.
Newport, Visct.
Peto, S. M.
Richards, R.
Rufford, F.
Sibthorp, Col.
Slaney, R. A.
Smollett, A.
Sotheron, T. H. S.
Spooner, R.
Sturt, H. G.
Sullivan, M.
Thompson, Col.
Walmsley, Sir J.
Williams, J.
Yorke, H. G. R.

TELLERS.
Halford, Sir H.
Packe, C. W.

List of the Noes.

Abdy, T. N.
Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bellew, R. M.
Bowring, Dr.
Busfeild, W.
Callaghan, D.
Campbell, hon. W. F.
Cavendish, hon. G. H.
Clay, J.
Clerk, rt. hon. Sir G.
Cochrane, A.D.R.W.B.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Davie, Sir H. R. F.
Drummond, H. H.
Duckworth, Sir J. T. B.
Duncan, G.
Dundas, Adm.
Ebrington, Visct.
Elliott, hon. J. E.
Evans, W.
Fellowes, E.
FitzPatrick, rt. hn. J. W.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Gladstone, rt. hn. W. E.
Graham, rt. hon. Sir J.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Hall, Sir B.
Hastie, A.
Hastie, A.
Hawes, B.
Hayter, W. G.
Heywood, J.
Hobhouse, T. B.
Howard, hon. E. G. G.
Hume, J.
Jackson, W.
Jervis, Sir J.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Locke, J.
Macnamara, Maj.
M'Neill, D.
Mahon, The O'Gorman
Mangles, R. D.
Melgund, Visct.
Mitchell, T. A.
Morpeth, Visct.
Morris, D.
Nugent, Sir P.
O'Connell, M. J.
Ogle, S. C. H.
Patten, J. W.
Pechell, Capt.
Philips, Sir G. R.
Pilkington, J.
Price, Sir R.
Raphael, A.
Rawdon, Col.
Rice, E. R.
Rich, H.
Rutherfurd, A.
Sadleir, J.
Sheil, rt. hon. R. L.
Somerville, rt. hn. Sir W.
Tenison, E. K.
Thicknesse, R. A.
Thornely, T.
Tynte, Col. C. J. K.
Ward, H. G.
Watkins, Col.
Wood, rt. hon. Sir C.
Wood, W. P.

TELLERS.
Tufnell, H.
Hill, Lord M.

SCHOOLMASTERS IN SCOTLAND.

Mr. COCHRANE rose to move for leave to bring in a Bill to facilitate the removal of Schoolmasters in Scotland. The Bill was rendered necessary by the difficulty which was experienced in putting in force the provisions of the 43rd of George III. for the removal of schoolmasters. In the event of a schoolmaster being guilty of cruelty it was found to be extremely difficult to remove him; and in case of incapacity the difficulty amounted almost to an impossibility. It was not his intention to abrogate the jurisdiction of the Presbytery, but merely to give a concurrent jurisdiction to the Lord Advocate and the Sheriff Substitute. The Bill would empower individuals to lay before the Lord Advocate a charge against a schoolmaster for any of the causes enumerated in the 43rd of George III. The Lord Advocate would investigate the charge; if he should deem it insufficient in point of importance, or of proof, the matter would of course proceed no further; but if it should be properly substantiated the charge would be referred by the Lord Advocate to the Sheriff Substitute, who, after notice, would try the case, and his decision would be final. He concluded by moving for leave to bring in the Bill.

Leave given. Bill brought in and read a first time.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, March 30, 1848.

Minutes.] *Took the Oaths.*—The Earl de Grey. The Lord Kenmare took the Oath prescribed by the Act of 10 George IV. to be taken by Peers professing the Roman Catholic Religion.

Public Bills.—2ª Borough Police Superannuation Fund.

Petitions Presented. From Members of several Lodges of the Independent Order of Odd Fellows, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From Shipowners and others of Great Yarmouth, for the Appointment of a Select Committee to Inquire into the Policy of the Navigation Laws.—From Watton, against the Admission of Jews into Parliament.

SALARIES, &c., IN PUBLIC DEPARTMENTS.

The Earl of ELLENBOROUGH said, he had given notice of his intention to call the attention of the House to a paper entitled "The Abstract of the annual account of increase and diminution in the number of persons employed, and in the salaries, emoluments, allowances, and expenses in all Public Departments." This paper showed the differences which existed in the amounts of salaries of persons in public departments in 1847, as compared with the charge for previous years. He thought it right to call the attention of the House to the subject, because the increase of charge during the past year was so very large as to make it necessary that some explanation should be given. He thought it very possible that Her Majesty's Ministers might be able to explain what had taken place; but certainly some explanation was desirable, more particularly when they considered the circumstances under which the country was placed in 1847, when the greatest national distress prevailed; when much suffering pervaded all classes of the community; when Her Majesty's Ministers were compelled to borrow eight millions of money for the assistance of Ireland; and when for several past years we had been subjected to the inconvenience of a deficient revenue. Under all circumstances it was the duty of the Government to practise every practicable economy in the public expenditure; but it became of imperative importance under circumstances similar to those we were placed under last year. He recollected the time when it was made a subject of congratulation on the part of Her Majesty's Government, that they had been enabled to make a reduction of one in the number of the Lords of the Admiralty, and thus effect a saving of 1,000*l.* per annum; but on the face of this document there was an increased charge, equivalent to the expense of 110 Lords of the Admiralty, namely, 110,000*l.* He recollected, soon after the Peace, great anxiety was manifested that every possible reduction should take place in all the public departments; and it was required by the House of Commons from the Government of the day, and was acceded to by the latter—that for the future the heads of public departments should not be allowed to appoint any new officers under them; but that when such increase was deemed necessary, it should not be made unless upon the investigation and under the sanction of the Lords Commissioners of the Treasury. It was also enjoined upon the heads of all public departments, that every possible reduction should be made. It was stated, and apparently justly, that this arrangement would be attended with great public advantage, as every department would be under constant revision, and that while the head of each department was answerable for the efficiency of that department, care would at the same time be taken that the charges should not be unnecessarily increased. It was very properly thought that this should be a general rule, and that all new appointments in public departments should be placed under the supervision of the Treasury. But it appeared that during last year there was a net increase of charge for salaries, allowances, &c., of a sum within a few pounds of 110,000*l.*; and that there was a net increase in the number employed in the public departments of 1,250 persons, of whom 1,109 were in the Post Office only. There no doubt might be a great increase in the business of this department, but some explanation was necessary. But deducting the 1,109 persons employed in the Post Office, there were still 141 persons added to the various public departments; and the charge for these persons were not less than 70,000*l.*; so that supposing the salary paid to each was the same, or the amount was divided equally, not one of them would cost the country less than 500*l.* a year. The total increase on the amount of salaries was 56,500*l.*; of emoluments, 14,500*l.*; of expenses, 31,000*l.*; and of retired allowances, 7,867*l.* This was the net increase. If they deducted the charge for all retired allowances on both sides, there was still an increase of 102,000*l.* It might be supposed that with the increase of the number of persons there would be increased efficiency in these departments; but it did not appear that the charge was altogether made up by the increased number of persons employed. In not less than twenty public offices there had been an increase in the amount of the salaries, without an increase in the number of those employed. In one department there had been an increase of expense to the amount of 6,000*l.*, while there had been a reduction of six in the number employed. This was the more extraordinary, as all these officers were placed more than twenty years ago under the supervision of the Treasury. It might be supposed that the Treasury would be relieved from the chance of any possible additional charge; but it appeared that although the charge under the head of expenses of that department was 233*l.* less than it was in the preceding year, still there had been an increase in the charge of salaries of 1,300*l.*, while there was no increase in the number employed. He next came to the Colonial Office, under the direction of the noble Earl opposite. In that office there had been a small increase of salaries to the amount of 222*l.* This was owing possibly to the arrangement by which the salaries of clerks rose after a certain number of years' service. There was, however, in connexion with this department, a very large charge which required explanation; he alluded to 4,333*l.* for retired allowances, a sum nearly equivalent to one-third of the net amount of the retired allowances from all the other public departments put together. It was rather extraordinary that in this department so many persons in one year should become unable to continue to perform the duties of their offices, or that so many should at the same time arrive at that age which entitled them to retire from the public service. He believed no such peculiarity had occurred in any other public department, except the Customs, where the retired allowances amounted to 5,646*l.* This also was a matter which required explanation. He had intended to call attention to one item, which was the increase which had taken place in the charges in the Royal Military Asylum; but his Friend the noble Duke (the Duke of Wellington) had explained to him that that increase of charge had arisen from a most excellent arrangement which had been adopted, as to an improvement in the number and the character of the schoolmasters employed. There could be no possible objection to this. The Admiralty department came next. He had within the last few years been connected with that department himself; and whenever he wanted anything done out of the common routine, he was met with the objection that there was such a want of hands that it could not be done. In answer to this, he ventured to suggest that there might be an increase of work on the part of those in office; but he did not succeed in getting more work from the then existing officers. He confessed that he was disappointed in this; for some years ago, while at the India Board, he had never heard a man object to any additional work, or of work done "in" and "out of" office hours. He knew that the respectable gentlemen in that office frequently and willingly worked with him to one or two o'clock in the morning. He could not help feeling that within the last few years a great change had taken place in the class of persons employed in the public offices. They were taken from a different class from that from which they were formerly selected, and he thought the result had been most injurious to the public service. No one could look through the lists of the persons employed in the public offices, without seeing the names of many connected with the higher ranks in this country. Those gentlemen would, no doubt, make most excellent officers in the Army and Navy, but they were above clerks' work—they were above the general routine of the office, and did not perform their duties in anything like such a satisfactory manner as was the case with the other persons, who were equally gentlemen, in the proper sense of the term, with themselves, but who did not require so much time for amusement. In this department, then, without doing more work, there had been an increase of sixteen in the number of persons employed. The increase in salaries in the department of the Admiralty had been 5,061*l.*, in emoluments, 4,025*l.*, and in expenses and other charges, 461*l.* There was a reduction in the amount of the retired allowance; but there was a total increase of 6,506*l.* In the Navy and Victualling Yards at home there had been a reduction of three officers, while there had been an increase of 3,216*l.* in the salaries. In these yards, also, in 1846, there had been an increase of expense. It appeared, then, that in the Navy and Victualling Yards at home and abroad there had been an increase in salaries, emoluments, and expenses, after deducting retiring allowances, of not less than 10,000*l.* The next charge to which he should call attention was one of very great importance, namely, the increase in the Customs department; in this department there was an increased charge of 49,000*l.* Within the last few years a vast number of Custom duties on articles had been altogether removed, and they had been led to believe that this would lead to a material diminution in the expense of this department, and in the number of persons employed. The fact, however, turned out to be quite the reverse of this, for there had been an increase of 62 in the number of persons employed. The increase in the salaries was 1,857; in emoluments it was 16,500*l.*; in retired allowances, 5,646*l.*; and in expenses and other charges, 25,073*l.* So that in the Customs department, in which the work had been so materially reduced, there was an increased expense of 49,000*l.* After this it was somewhat refreshing to refer to the return as to the Excise. In that department there had been a reduction of twelve in the number of persons employed. There was a reduction under the head of retired allowances to the amount of 2,019*l.*; and there were also large reductions under emoluments. The whole reduction connected with this department was 6,696*l.* In the Stamps and Taxes, there had been a reduction of eight in the number of persons employed, 1,495*l.* in salaries, and 523*l.* for retired allowances; this made a reduction of 2,018*l.*; but when they looked on the other side, they found an increase in the expenses of 4,417*l.*, so that there was a net increase in this department of nearly 2,500*l.* He next begged to call attention to the department over which the noble Marquess the Postmaster General presided. He asked what their Lordships supposed had been the increase in that department? He found that in the Post Office there had been an increase in persons employed to the extent of 1,109; in salaries, 38,399*l.*; and in retired allowances, 528*l.* It was not fit that they should be indulging themseves with the advantages derived from that department, without looking to the general return produced by it. On inquiry into that department last year, the result was, that the Post Office revenue could hardly be said to produce anything, when they took into account the deficit on transmarine postage. It therefore appeared to him to be specially necessary, when the revenue of a department produced nothing, or next to nothing, that the greatest economy should be observed in all the departments connected with that department. He next called attention to the convict establishments, where it appeared that, without any increase whatever of persons, there had been an increase of salaries to the amount of 3,310*l.* He must say that, on looking generally to those returns, he viewed them with great regret. He should have regretted to see such matters disclosed under any circumstances; but he peculiarly regretted them at the present moment, and he trusted that Her Majesty's Government would be able to explain how this great increase of charge had taken place. He (the Earl of Ellenborough) had not thought fit, in giving his notice, to state that he would submit any specific Motion to their Lordships; and all he wanted at present was—

"A Return of the Salaries and Emoluments allowed to the Persons added to the Establishments in every Public Office and Department in 1847; and also of the increased Salary and Emoluments allowed in 1847 to each Person who was on the Establishment of every Public Office and Department at the commencement of that year."

If that return was not satisfactory, he should move for a Select Committee to be appointed to consider those charges; or, without moving for a Committee, he might perhaps move for the Correspondence between the Treasury and different Departments with respect to the increase and diminution of charges.

The MARQUESS of LANSDOWNE said, there could not be the slightest objection to give his noble Friend all the information he required; but he would suggest to him that he should put his proposition in a more tangible form. He could assure the noble Earl, that not only was there no disinclination on the part of the Government to furnish the fullest information, but he (the Marquess of Lansdowne) would be the first person to say that it ought to be fully supplied. He concurred with the noble Earl in regretting that there should be an increase of expenditure at any time, but he regretted particularly that it should have taked place in the year 1847—the year of all others when it was most desirable to avoid such an increase. His noble Friends who presided over the various departments to which the noble Earl had referred, would, from their official position, be better able to afford information on the subject than he could possibly be; but this he would venture to assert, that on inquiry it would be found, that in all those cases to which the noble Earl had referred, no unnecessary increase or additions whatever had been made. The noble Earl had called attention to the additional officers appointed in the Post Office; but the reason was, that a very great addition to the staff of that department had been rendered necessary for the public accommodation, in consequence of the increased communication with all parts of the country, chiefly in consequence of the additional facilities afforded by railways; but he thought, when the noble Earl came to consider the amount of salaries bestowed upon these 1,109 persons, he would not be inclined to indulge in the opinion that anything objectionable had taken place in connexion with that department; and especially that it had nothing to do with the prospect of a general election. He would take leave to relieve his noble Friend (the Postmaster General) from the burden of the responsibility arising from one appointment. In the county of Wilts an old woman had been appointed at his (the Marquess of Lansdowne's) instigation, at a salary of 10*l.*; and so far from that appointment being calculated to extend his influence in that county, he was obliged to use all his influence to find an old woman to fill it. He had also had to propose a measure in connexion with the Board of Education, which had led to an increased charge of 1,495*l.* With respect to the Treasury and with respect to the Customs, he was in possession of a very detailed report on the subject; and if the noble Earl persisted in his Motion, he should be prepared to lay that report upon the table of the House. He should mention that one great increase in the Customs had been occasioned by the appointment of an additional number of officers to the port of Southampton, to examine the steamers arriving there. The very great importation and distribution of breadstuffs, as they were called, had required the employment of an additional number of persons. Their Lordships were perhaps aware that a Committee was sitting in the other House, the object of which was to examine all this expenditure, and to suggest any reform that might be practicable. He need scarcely add, that any reform suggested by that Committee, it would be the anxious wish of Her Majesty's Government to carry promptly into effect. The noble Earl had not adverted—probably because he was satisfied with that subject—to the increase in the educational department in England and Ireland. In fact, it had been found impossible to carry on the inspection of schools without a considerable increase of expense. In conclusion, he could assure the noble Earl that the fullest information should be furnished, and in the most intelligible shape possible.

EARL GREY regretted that, not having previously seen the notice of the noble Earl, he was not at the present moment prepared to explain to their Lordships the exact points to which the noble Earl had referred in regard to the return from the Colonial Department; but it appeared on the face of that return that in 1847 there was no retirement of any officer belonging to that department, and consequently no retiring allowance was granted during that year. There had been one retirement during the present year, which had occasioned a loss to the public service which he feared could not be soon replaced—he alluded to the fact of Mr. Stephen having left the Colonial Department. There had been a large increase in the charges on account of the Colonial Department during the last year; but they were not charges over which he could exercise any control, for they arose, for the most part, from extra postage. With regard to the return now called for by the noble Earl, it appeared to him (Earl Grey) that, if ordered in the shape proposed, it would be so voluminous as to require many months to prepare it. The noble Earl asked for a statement of the names of all the persons employed in the different public departments during the year 1847 who had received increased salaries and emoluments during any part of that year. Now, it was well known that the arrangement in all the offices respecting salaries was, that every clerk should receive a progressive increase of 5*l.* or 10*l.* yearly, according to the length of his service. If, therefore, the return should be made in the form proposed, it would require a statement of the names of many thousands of persons; in fact, of all who were employed in the Customs, the Excise, the Post Office, the Stamp Office, and every other department. The difficulty of making out such a return would be absolutely insuperable. It was always inconvenient for the House to order returns without previous notice being given as to their nature. When notice was given, then it was practicable for those who were connected with the different departments to devise a form by which the information required could be furnished without difficulty. He was sure, however, there would be no difficulty in devising such a form of return as would afford substantially all the information he required.

The EARL of AUCKLAND begged to say, in answer to the observations of the noble Earl, that although he was not prepared to enter into details, he was quite satisfied that no increase had taken place in the department of the Admiralty that was not called for by the necessities of the public service. He knew that in Somerset House the books in the course of the last year were found to be in arrear for many months, some of them for more than a year; and for the purpose of rectifying this, many of the clerks after the usual office hours came there to make up the arrears, and were so engaged during the greater part of the night, for which extra allowance was necessarily made.

The MARQUESS of CLANRICARDE said, the noble Earl had called attention to the increased expenditure in the Post Office; he (the Marquess of Clanricarde) was quite prepared to show by the returns which had already been made to the House, that that increase was fully justified by the increased requirements of that establishment. He should have been quite content to justify, in the most general possible manner, the expenditure that had taken place in the last year, were it not for an observation which the noble Earl was pleased to make with reference to an election. Now, when he mentioned it as a year of an election, he should likewise have called attention to the appointments and increased expenditure which had taken place in other years which were not years of a general election. The Post Office, it ought to be remembered, was not an establishment primarily and mainly for the purpose of raising a revenue. It was in the first instance for the accommodation of the public, though he was aware it was also looked upon by many as a desirable source of revenue as well as of benefit to the country in other respects. But he would apply the same test to the returns from the Post Office of previous years which the noble Earl had applied to the return for the year 1847, and then their Lordships would be able to judge as to the relative increase of charge incurred by and the increase of revenue derived from that department. In 1845 the revenue of the Post Office (of course he was not counting the amount of the packet service) was 749,842*l*; in 1846, 825,112*l*.; in 1847, 984,496*l*. He had not the means of making a comparison with the year 1844, but the comparison between the years 1846 and 1845 exhibited an increase of 75,270*l*.; and the net increase of 1847, as compared that of 1846, showed a further increase of 159,384*l*. Therefore, if they took the noble Earl's test, he (the Marquess of Clanricarde) had a right to claim the privilege of making a double number of appointments and increase of salaries in 1847 beyond that made in 1846. But how really stood the facts? In 1846 the additional number of persons employed in the Post Office was 1,241; the additional number in 1847, as had been stated by the noble Earl, was 1,109. Therefore it appeared that while the net revenue, as compared with the preceding year, was double, the number of persons was less than the number appointed in the previous year, although, according to the increased revenue, it might justly have been double the number. He did not mean, in making this statement, to throw any blame upon his predecessors, but merely desired to exonerate himself. He would remind their Lordships of the increased accommodation afforded to the public by the extended arrangements of the Post Office. The great increase in the circulation of letters commenced in the years 1839 and 1840. The increase in 1840, as compared with 1839, was 169,000,000. In 1841 the increase amounted to 196,000,000 over the previous year; but their Lordships would recollect that discussions then took place about the Post Office; there was a difference of opinion between persons concerning that department—a stagnation, as it were, took place. He begged to call attention to the effects of the plan to increase the rural posts, which came into operation in the year 1844, and which was remarkable as showing what increased accommodation had been afforded to the public. He would then come to the present year, and would let their Lordships see what had been effected by the increase of expenditure to which the noble Earl had called their attention. The plan for increasing the rural post-offices came into operation in 1844, and a rise immediately took place of 28 per cent in the circulation of letters; and last year the increase was 30 per cent upon the previous year. It appeared that no less than 400 new receiving offices were established in the United Kingdom; 417 messengers had been appointed out of the 1,109; 870 persons in all had been appointed to the rural districts, and deliveries had been established in no less than 1,300 villages where they did not previously exist. In addition to this increase the business in the money order department had been greatly extended, and its extension had entailed expenses commensurate with the advantages conferred on the public. Their Lordships would thus see that whatever the increased expenditure in the Post Office department might have been, more than a commensurate return had been made to the public, both in regard to the peculiar accommodation which that establishment afforded, and to the addition it rendered to the general revenue of the State.

LORD STANLEY said, that although their Lordships might be of opinion, when this subject was brought before them, that it was one which more peculiarly belonged to the other House, still the public were indebted to the noble Earl for having brought it under their consideration. While at all times it was necessary that a strict guard should be kept over the expenditure of the public money, there never was a period when it was more necessary than in the year 1847; and yet in that year it appeared to be a remarkable fact, that there should be in the establishments alone connected with the Government an actual net increase of expenditure to the amount of 110,000*l.* He had listened to the statement of the noble Marquess the Postmaster General, and also to the statements of the noble Lords who had preceded him. They began by saying they were wholly unprepared to give any explanation: and the statements they made certainly proved the correctness of their assertions. Now, with regard to the notice which had been given by the noble Earl, he (Lord Stanley) could not conceive how a better notice could be given; and the Members of Her Majesty's Government, connected with the departments referred to, should not only have known that this notice was given, but they should have been prepared to give a detailed explanation — if such explanation were necessary — with regard to the increase that had taken place in those departments. Out of 1,109 persons appointed in the Post Office, his noble Friend opposite (the Marquess of Lansdowne) had given them an explanation with respect to the appointment of an old woman, and said no charge had been incurred except what was necessary for the public service. That might be quite satisfactory to the noble Marquess and to his Colleagues; but he (Lord Stanley) saw no reason to expect that in the minds of the public it would produce a corresponding satisfaction. The noble Earl at the head of the Colonial establishment appeared to be in as blissful a state of ignorance with respect to the expenses of his department, as the noble Lords who had charge of the other branches of the public service. The noble Earl had complained that a certain sum had been charged to the account of retired allowances which ought to have been charged to that of colonial postage; and he even stated, as he (Lord Stanley) understood him, that last year there was no charge whatever on account of retired allowances. It was quite possible that the retirement of Mr. Stephen—a gentleman whose great merits he willingly admitted, and whose loss he deplored—might have taken place at such a period that the charge on account of his retired allowance could not come under the head of the expenses of last year; but it was right it should be understood that the item might be expected to appear in the returns for next year. It was understood that in the department of the Emigration office—which by the way was included in the Colonial department, and classed with it in the returns on their Lordships' table —a great increase had been made. If so, the natural supposition was that there must have been an augmentation in the number of individuals employed in that branch of the service; but it was worthy of remark, that the return on the table made no mention whatever of any increase in the number of *employés.* It merely specified the fact that there was an increase in the amount of salaries and retired allowance. This, surely, was an inaccuracy which ought to be remedied. The noble Lord at the head of the Admiralty had confessed, like all the other noble Lords who had preceded him, that he was totally unprepared for the explanation he had been called upon to afford—he had no idea that the noble Earl was going to talk about the Admiralty and Somerset House—and, truth to say, the sequel of his address testified the veracity of the avowal. The only reason the noble Lord could assign for the increase in the expenditure was, that he had found his department in such a state of disorganisation and confusion, and that the accounts had been so shamefully neglected, that he was obliged to work double tides, and to incur additional expense in order to bring up the arrears and reduce things to something like systematic arrangement. But if so, one would suppose that it had been found necessary to employ new men. Such, however, was not the fact. The old clerks had been grossly negligent in past years—it was through their inattention or inefficiency that matters had fallen into embarrassment and confusion—and yet what was the plan adopted for bringing up the arrears, and reducing matters to a state of order? Why, these same inattentive clerks were employed extra hours and paid extra salary, for extra work which was rendered necessary in order to remedy the evil effects of their own negligence in bygone years. This he could not help thinking a very singular course of proceeding. With regard to the Customs department, no explanation whatever had been offered. It appeared to have been entirely abandoned; and yet of all branches of the public service it was the very one which presented the strongest case for explanation. Within the last two years the customs duties, on a very large number of articles, had been not lessened, but absolutely repealed—a proceeding which ought to have led to a diminution in the number of custom-house officers. No such result, however, followed. On the contrary, there had actually been a very considerable increase in the number of those employed, and in the general expenses of the department. In 1847 there was an increase of sixty-two individuals in the number of officers employed. Moreover, there was an increase of 1,857*l.* on account of salaries—of 16,500*l.* on account of emoluments—of 546*l.* on account of retired allowances—and of 25,000*l.* on account of expenses (whatever that might mean)—and the aggregate result of all these calculations was, that last year, so far from there being a diminution, there was an increase of no less a sum than 49,077*l.* in the expense of collecting the customs dues. With respect to the Post Office, the only thing unsatisfactory in the explanation of the noble Marquess opposite, with respect to that branch of the service, was, that his remarks would appear to favour the apprehension that year after year a largely progressing increase in the expenses of that department was to be expected. The noble Marquess had referred triumphantly to the fact that the increase last year was smaller than that of the year preceding. He represented that in 1846 it was 1,200*l.*, whereas in 1847 it was only 1,100*l.*; but these two facts put together only gave this result—that the expense of the Post Office establishment was at the present moment larger by 2,300*l.* than it was that time two years. It was to be presumed there would be an increase in the year 1849 as well, and that the noble Lord would justify it on the ground that it was not so large as in the year 1848. However, he was bound in candour to admit that if it could be proved that the increased expenditure had been accompanied by a corresponding increase in the accommodation to the public, he did not think that after all there would be any just cause of objection or complaint, or that any one would have a right to envy the noble Marquess the certainly very extensive patronage at his command. The noble Marquess would have multitudinous opportunities of obliging his political friends, and indeed of disobliging them also; for though it was very true that a very large proportion of the situations in his gift had no higher salary than 30*l.* a year attached to them, and that there were not a few even so low as 10*l.* or 15*l.* a year, it was well known that there was not one of these places, however insignificant, that was not looked after as an object most desirable to be attained. In conclusion, he would only observe that if there was any objection on the part of the Government to the particular form in which the Motion of his noble Friend (the Earl of Ellenborough) had come under their Lordships' consideration, he would suggest to him the propriety of not calling on their Lordships to come to a vote on a Motion of which specific notice had not been given; but he certainly did think that on a fitting occasion their Lordships and the public ought to be put in possession of the fullest and clearest information as to the cause of this increase in the expenditure, and the persons whom it affected. He hoped that his noble Friend, omitting the nominal case of the Post Office, would on a future occasion move for the fullest return on this subject, and that, if practicable, he would include the communications which had passed between the heads of the various departments as to the causes of the increase. A full, clear, and satisfactory explanation of the real state of the case, and the true causes which had induced such a startling increase in the expenditure of the country, was due to the public; and it was the more desirable that such a statement should emanate from their Lordships' House, because the matter could not come under the cognisance of either of the Committees of the Lower House now sitting, inasmuch as one of them would limit its inquiries to the miscellaneous, and the other to the military estimates.

The EARL of AUCKLAND explained: He had not said one word about the clerks in his department being guilty of negligence or inattention. What he had said, or at least what he had meant to convey was, that a greater amount of work had been thrown upon the department than could be managed under the old system without confusion—that business had consequently got into arrears—and that in order to prevent the future accumulation of arrears, he had found it necessary to increase the establishment.

The EARL of ELLENBOROUGH withdrew the Motion, observing that he would consult with the noble Marquess the President of the Council, with respect to the most convenient mode of obtaining the information he required.—House adjourned.

HOUSE OF COMMONS,

Thursday, March 30, 1848.

Minutes.] New Writ.—For Wicklow, *v.* Colonel Acton, Chiltern Hundreds.—For Rye, *v.* Herbert Mascall Curteis, Esq., void Election.

Petitions Presented. By Mr. J. Greene, from Kilkenny, and by Mr. Roche, from Kildare, for a Repeal of the Union with Ireland.—By Mr. Sharman Crawford, from Whitburn (Linlithgowshire), and by Mr. Wilcox, from Southampton, for Adoption of Universal Snffrage.—By Mr. Cowan, from Edinburgh, and by Mr. Edward Howard, from the Borough of Morpeth, for Alteration of the Law as regards the Church of England Clergy.—By Mr. Bouverie, from Liverpool, for Abolishing the Distinction between Ecclesiastical and Civil Courts; and for Assigning Matrimonial Suits from Ecclesiastical Courts to Courts of Common Law.—By Mr. G. Craig, from Edinburgh, for Abolition of Universty Tests (Scotland).—By Mr. Pilkington, from the Blackburn Commercial Association, for Protection to Her Majesty's Subjects in China.—By Mr. Lushington, from Westminster, for Inqiry respecting the Rajah of Sattara.—By several Hon. Members, from a number of Places, for Repeal of the Duty on Attorneys' Certificates.—By several Hon. Members, from a Number of Places, for Exemption of Charitable Bequests from the Legacy Duties.—By Mr. Christopher, from Gainsborough, and by Mr. Octavius Morgan, from Chepstow (Monmouth), against Increase or Continuance of the Property Tax.

HOUSE OF LORDS,

Friday, March 31, 1848.

Minutes.] *Took the Oaths.*—Several Lords.

Reported—Borough Police Superannuation Fund.

Petitions Presented. From the Free Church Presbytery of Glasgow, and Free Church of Scotland, against the Diplomatic Relations, Court of Rome, Bill.—From Members of several Lodges of the Independent Order of Odd Fellows, for the Extension of the Provisions of the Benefit Societies Act to the said Order.—From Manchester, for a Continuation of the Existing Law relating to the Importation of Corn.—From Shipowners, Merchants, Artisans, Mechanics, and others, of Brixham and Dartmouth, for the Appointment of a Select Committee, to Inquire into the Policy of the Navigation Laws.—From Ifield, against the Admission of Jews into Parliament.—From several Charitable Institutions in Dundee, praying to be Relieved from the Payment of Legacy Duty.—From the Clergy of Westham, for Relief from Assessment upon their Rent Charges.—From the Clergy of Chichester, relative to the Election of Bishops.

SUPPRESSION OF CRIME IN IRELAND.

Lord BEAUMONT said, his noble Friend the President of the Council had last night laid on the Table of the House two important returns, one of them relating to the quantity of arms and ammunition that had been surrendered under the operation of the Crime and Outrage Act in Ireland, and the other to the quantity that had been seized or detained under the provisions of that Act. These returns were, no doubt, very important; but if they stood alone they would give but a very imperfect idea of the results which had flowed from that Act. He regretted, therefore, that his noble Friend did not accompany those papers with some remarks relative to the present state of Ireland, and the operation of the Act. It would be remembered that in the course of the discussion which took place when the Crime and Outrage Bill was passing through the House, various opinions were expressed, and remarks made, with regard to one class in particular—he alluded to the Roman Catholic clergy. Anticipations were then formed that the Act would be inefficient in preventing the recurrence of those offences which at the time were but too common in Ireland, as opposition from the clergy might be expected; and he thought the experience they had had since the Act was passed might enable the Government now to give the House some information on the subject. He thought, therefore, he was not asking too much from the noble Lord if he requested him to state what had been the conduct of those parties to whom he had referred, and what had been the general effect of the Act during the time it had been in operation?

The Marquess of LANSDOWNE had no hesitation in at once giving an answer to the question put by the noble Lord; and he was happy to say that he believed the answer would be satisfactory to his noble Friend and to the House. The noble Lord had adverted to the papers which he had laid on the table of the House yesterday, one of which referred to the execution of the Act which their Lordships, in conjunction with the other House of Parliament, had passed, for the collection and seizure of arms in Ireland, and for the prevention of crime. He was happy to state, that the effect of that Act had been that almost a complete stop had been put in most of the disturbed counties in Ireland to those scenes of violence and outrage that formerly existed; and he was informed that in one of the most disturbed of those counties, a degree of peace and quiet prevailed at the present moment equal to that which was experienced in any county in this part of the United Kingdom. In coming to this conclusion, he had the greatest satisfaction in being able to state that not only the lawful tribunals of the country, but the juries called upon to act in those tribunals, and the witnesses called upon to give evidence before them, had all discharged their respective duties in a manner that did honour to them, and which showed them to be deeply impressed with one sentiment—the importance of lending all the aid in their power in suppressing crime and restoring order. With respect to persons of a particular description who had been referred to by the noble Lord in connexion with the execution of that Act, viz., the Roman Catholic clergy, he was happy to say that the Roman Catholic clergy had in general, and with few exceptions indeed, lent their aid to the operation of the law. He had, further, the satisfaction of informing their Lordships, that with respect to subsequent circumstances in that country, on which he was not about to enter, and on which he was glad that the noble Lord had not entered, the most encouraging assurances had been offered to the Government. Certain menaces and threatenings of a different character from those which had provoked and carried the Act of Parliament to which he had alluded, had been heard in particular quarters, and had tended to create, if not actual disturbances, at least apprehension of disturbances; and he was glad to state that a very large proportion of that body (the Roman Catholic clergy) had been actively and industriously engaged in preventing those disturbances. He was the more bound to state this, because he had been under the painful necessity in the course of the present Session, of admitting his belief of the truth of certain statements made in that House with respect to the conduct of particular individuals belonging to that body. He felt it, therefore, to be the more his duty, and he was sure it would be the feeling of the House on that occasion, readily to recognise the improved spirit—the truly Christian spirit—and peaceful disposition of that body. He had the highest authority for stating that, in that part of the United Kingdom, they had greatly contributed to the preservation of order; and the only effect of the conduct of certain mischievous and evil-disposed persons—which had a tendency to create disturbance — had hitherto been to call forth a manifestation of zeal and attachment to the institutions of this country such as had not, he believed, been manifested with greater earnestness or greater readiness at any former period. In a short time, not less than 160,000 signatures were affixed to an address from every part of Ireland by persons of every class and rank in society, and, above all, by persons of all religious faiths, all expressing the greatest confidence in Her Majesty's Government, and the greatest desire to afford them effectual assistance in the preservation of the public peace. To what he had now stated, perhaps he might be permitted to add, that when it was notorious that in some of the great manufacturing towns, and particularly in Manchester, attempts had been made to prepare, at least, for a disturbance of the public peace, no less than sixteen Roman Catholic clergymen, forming the great body of that denomination in Manchester, had uniformly and zealously exhorted their congregations to abstain from any participation in those disturbances. He was entitled to state, therefore, that on the support of that body, acting in conformity with that which he trusted actuated the whole community, Her Majesty's Government might confidently rely for that assistance which possibly might be required at no distant period to maintain what he might say Her Majesty's Government were determined to maintain—the public peace and good order. He trusted he had answered fully the question put by the noble Lord, and he hoped that answer would be satisfactory both to the House and to the country. In conclusion, he earnestly hoped that the attention of that House would be directed to the condition of Ireland, with the view of acquiring that useful information which alone could enable them to deal in an efficient manner with the circumstances of that country, whatever they might be.

Lord STANLEY hoped he would be permitted to express, in one or two observations, the unanimous feeling of congratulation which all, on whatever side of the House they sat, must experience at the statement which the noble Marquess had been able to make; and he was the more desirous to do so, because undoubtedly he was one of those to whom his noble Friend (Lord Beaumont) had adverted, as having remarked upon the conduct of the Roman Catholic clergy. He thought it was his duty, at an early period of the Session, to express his belief that, without attributing to the Roman Catholic clergy a desire to foment disturbances in the country, there were among them individuals whose denunciations from the altar had led to results which, probably, they never contemplated, but for which, nevertheless, they ought to be held morally responsible; and also that among the great body of the Roman Catholic clergy he did think there was a description of jealousy of conflicting authorities which led them to be more backward than other classes of the community to exercise that influence which their character and station gave them towards the preservation of the public peace, by means of, and through the instrumentality of, the law. He believed then, and he believed now, that the prevalent feeling among them was, that it was more for their interest that the preservation of the public peace should be attributed to their own influence and exertions, rather than to the operation of the law; and, consequently, they were backward in giving their assistance to those whose business it was to put the law in force. He rejoiced to hear that there was an indication of an altered spirit among the Roman Catholic clergy. He saw, with great satisfaction, the facts recorded in the public papers respecting the Roman Catholic clergy of the town of Manchester, and to which the noble Marquess had adverted. He had read also, with the greatest satisfaction, an address from Dr. M'Enery, of the most praiseworthy character, and one which, if generally imitated in its tone and spirit, would be a most powerful instrument in the preservation of peace and order. Undoubtedly, there were few subjects of congratulation to which we could turn our attention in the present state of Europe and of the world in general; but if there was one topic to which an Englishman might advert with a feeling of self-congratulation and no dishonourable pride, it was, that while every part of the Continent was agitated by the desire of change — while Thrones were crumbling into dust, as if they had no solid basis on which to rest — these manifestations had found but a faint response and echo in this country; and, so far from exciting any corresponding feeling here, had only induced the larger portion of the community, including the higher and the lower classes alike, to express their determination to maintain the law, and also their sympathy with the institutions of the country in which they lived, evidencing a resolution to co-operate with those whose duty it was to preserve the public peace, which had been found sufficient to overawe the small minority in this country who might be desirous of disturbing public tranquillity. With regard, then, to the state of affairs in this country, he thought that their Lordships might look to them with feelings of satisfaction and confidence, and also with a feeling of respect for those free monarchical institutions under which a spirit had been fostered which had been found sufficient to repress any indications of a desire to disturb the public peace, and which, he had no doubt, would be sufficient to support us in that hour of trial to which almost every other nation of Europe had been already subjected. He wished he could say that the same feeling prevailed to the same extent in Ireland. He allowed that, although the spirit of discontent was more widely spread in Ireland than in this country, there had been already a mitigation of that dangerous spirit among a large portion of the population, both Protestant and Roman Catholic, which led him to entertain the best hopes that this spirit of discontent might yet be put down without any necessity for a painful and bloody struggle. He trusted that the noble Marquess would give their Lordships credit, not only for not looking with indifference or want of anxiety to the state of things in Ireland, but also for the motives which had kept their Lordships silent, and which had prevented them from embarrassing, by any premature question, or by asking for any premature disclosure of the intentions of the Government, or by pressing on them any suggestions for the administration of that country, those who were responsible for the conduct of affairs there. At the present moment he would imitate the prudent conduct of the noble Lord who had put the question, and of the noble Marquess who had answered him, and he would not enter upon the present state of affairs in that country, alarming as it was. But he might be forgiven for saying, without reference to any specific measures of Her Majesty's Government, and looking as an irresponsible spectator at the affairs of that country, that the acts committed and the language held there in the course of the last few weeks appeared to him (for he would not suppose that the noble Earl at the head of the Government of Ireland was remiss in applying the powers of the law) to show that a difficulty existed of meeting certain classes of offences, not with an adequate, but with an appropriate punishment. It was impossible not to see that whilst the Legislature affixed the highest penalties to the crime of high treason, with no intermediate degradation, but a misdemeanor punishable with fine and imprisonment, that in all the various stages through which disturbances pass (the stages of sedition), until they eventually arrive at treason, there are classes of offences which may not be dignified with the name of treason, but which may go beyond the precise limits of sedition, or at least beyond the limits which fittingly is punishable by fine and imprisonment. It was impossible for their Lordships to conceal from themselves the fact, if they were to believe the public journals, that there was a body of persons in Ireland, possessed of no inconsiderable influence, who were stimulating the people to acts of open and undissembled treason, and who yet were not legally amenable to the punishment appointed by the law for that high crime, even if the position and character of these parties entitled them to be dignified with the attributes of State criminals. And yet the alarm and disturbance which these persons had occasioned, and the possible risk of bloodshed to which their attempts might lead, rendered them, in his mind, if not legally, at least morally liable to a punishment far greater and more prompt than the necessarily tardy progress of the law could inflict upon an indictment for a misdemeanor punishable by fine and short imprisonment. This appeared to him to be an error and a defect in the existing state of the law. He did not ask Her Majesty's Government if they had any intention of introducing any amendment in the law in this respect; but he did think, that under the circumstances of that country, on which the noble Marquess had entreated their Lordships to continue to bestow their anxious attention, a state of the law which, for all the gradations of sedition and treason, left no middle course between a prosecution for a misdemeanor, punishable only with fine and imprisonment, and a prosecution for high treason, imposed a painful alternative on those who desired to preserve the tranquillity of Ireland.

Lord MONTEAGLE thought it of the greatest possible importance that it should be understood that the Roman Catholic clergy of Ireland had, for the most part, been promoters of public order and tranquillity. He was glad to say that he had heard from the highest authority, that at the assizes which had just closed for the county of Limerick, the law had been most satisfactorily administered. Looking back for a period of twenty-five or thirty years, in no case had the law been more satisfactorily carried into effect there. A most improved spirit prevailed among the people themselves with respect to the violators of the law, and their determination to bring those violators to justice. He attributed this not only to the Bill which was passed at the end of the last Session of Parliament, but to the course taken by the noble Earl at the head of the Irish Government. He believed that their Lordships might hope for better things on the part of the peasantry of Ireland. The labourers would find that, whatever might be the consequences to others, revolutionary disturbances of the public peace were above all things dangerous to the interests of labour.

Subject at an end.

House adjourned.

HOUSE OF COMMONS,

Friday, March 31, 1848.

Minutes.] New Members Sworn.—For Aylesbury, Quintin Dick, Esq.

Reported.—Administration of Oaths (Court of Chancery).

Public Bills.—3° and passed;—Property Tax; Stamp Duties Assimilation.

Petitions Presented.—By Mr. Plumptre, from Iver (Bucks), against the Roman Catholic Relief Bill.—By Mr. A. Matheson, from Nairn, for Alteration of the Law respecting Sites for Churches (Scotland).—By Mr. Alexander Hastie, from Glasgow, praying the House to take the State of the West India Colonies into Consideration.—By Mr. Vernon Smith, from Northampton, for a Repeal of the Duty on Attorneys' Certificates.—By several Hon. Members, from various Places, for Exemption of Charitable Bequests from the Legacy Duties.—By Mr. Rutherfurd, from the Leith Chamber of Commerce, against an Increase or Continuance of the Property Tax.—By Mr. Alexander Matheson, from Nairn, for a Revision of the Stamp Duties.—By Mr. Alexander Hastie, from Glasgow, for Alteration of the Banking Law.—By several Hon. Members, from various Lodges of the Independent Order of Odd Fellows, for an Extension of the Benefit Societies Act to that Order.—By several Hon. Members, from a Number of Places, against the Diplomatic Relations, Court of Rome, Bill.—By Sir W. Somerville, from Drogheda, against the Imprisonment for Debt (Ireland) Bill.—By Mr. Tennent, from Ballymacarrett, and its Vicinity (Downshire), against the Landlord and Tenant (Ireland) Bill.—By Dr. Bowring, from the Isle of Ely, for Retrenchment in the Naval and Military Expenditure.—By Lord G. Bentinck, from King's Lynn, against Repeal of the Navigation Laws.

WRIT FOR HORSHAM.

The Earl of MARCH moved that a writ be issued for the election of a Member for the borough of Horsham.

Mr. HUME said, that if the question of which he had given notice had come on on the preceding day it was his intention to have submitted to the House the propriety of suspending the writ for this borough, and every other place of which the election had been declared void, until a separate Committee should have been appointed to inquire into the extent and nature of the bribery and corruption practised at such election. In the case of Horsham, it appeared from the evidence which had been printed, that the Gentleman contending for the seat had declared that, having obtained all he wanted, he had not gone further with the matter, and, consequently, the whole truth of the case was not before the House. It was utterly impossible, therefore, for the House to say to what extent the system of bribery and corruption had been carried. Was the House sincere in their endeavours to put an end to that system, or was it not—was it conniving at bribery and corruption? The hon. Member then adverted to the evidence before the Committee, from which it appeared that the night before the election a revel had been held at which upwards of 160 persons were present, many of whom were electors. If such scenes were allowed to continue, there would be great danger of that House being despised by the people. He should, therefore, move, as an Amendment, that the writ should be postponed until a Committee was appointed to inquire into and report upon the extent and nature of the bribery and corruption practised at the election for Horsham and every other borough which should be declared to be void on that ground.

LORD COURTENAY having been chairman of the Committee in the case of the Horsham election, was anxious to make one or two observations. He should feel it his duty to support the Motion, because he thought that no fact had been proved, nor any case established, that would justify the House in refusing the writ. Under the Act of the 5th and 6th Victoria, c. 32, Election Committees had the power of going into the question of a compromise, if they considered there was any ground for suspecting it; and in the present case the Committee had felt it their duty to institute such an inquiry, and had called the agents on both sides before them; but from each of these parties they received a distinct denial and disavowal of the impression that had certainly existed in the minds of the Committee, that a compromise had been effected. Under these circumstances, the Committee felt they could go no further, and an unanimous hope was expressed that the minutes of the evidence would be laid before the House, in order that they might be in possession of the whole case. At the same time he thought it was a matter well worthy of the consideration of the House, whether, in cases where there was a failure of proof of any grave charge of bribery alleged in a petition, the Committee might not be directed to mention the fact to the House; leaving it to the House to take such course as they should think fit.

SIR J. HANMER said, the House had the fact before them that the election had been declared void on the ground of corrupt treating, and on that ground he would vote against the issue of the writ at present. It was impossible to say that the electoral condition of this country was in a satisfactory condition, either as regarded the constituent body, or those who were returned to Parliament. The question was whether the House should deal with these cases by a large general measure, or by detail, as cases like the present arose. He should prefer the latter method, and whenever a Committee reported that an election was void by reason of corrupt proceedings, he thought the House ought to suspend the writ, in order that an inquiry might be made, and that they might ameliorate the elective franchise of that place. If the House visited the whole of the consequences of corrupt practices upon the sitting Member, and then issued another writ to the electors who had forced such practices upon him, probably against his will, the House would but empower this corrupt constituency to return to its old practices, and would commit one of the greatest possible absurdities. He knew the feelings of the people upon this subject, and when an industrious working man living in a 6*l*. or 8*l*. house, and not able to have a 10*l*. house, saw a freeman rolling drunk into a gutter, he knew that the iron entered into the souls of these working men, and that discontent rankled in their hearts. He wanted a remedy for such scenes, because he regarded them as evils fraught with the greatest and most pernicious consequences. He was prepared to resist the issue of a writ either for Horsham or any other place, where the chairman of a Committee reported that corrupt practices had prevailed. Unless they adopted some such course they would have an accumulation of a dozen Sudburys, the seats for which Parliament would have to distribute among new constituencies.

SIR DE LACY EVANS was also of opinion that quite enough was done to warrant the House in suspending the writ when a Committee reported that corrupt practices had existed. The House should remember that only a fractional part of the corruption that took place in the country ever came before the Committees of that House. He knew a very large city where, before the last general election, forty-five public-houses had been kept open in the interest of one candidate for six months. These cases were not brought before the

House, because the parties resorting to such practices did not succeed in obtaining their seats. He would support any Motion that had for its object the eradication of such a shameful system of corruption.

Mr. H. BAILLIE objected to a Motion for withholding the issue of writs for an indefinite period, without some steps being proposed for prosecuting an inquiry into such cases. The hon. Member had better alter his Motion, and give notice of a Committee of Inquiry on the subject.

Mr. SHERIDAN defended the proceedings of the Committee, of which he was a member. The only suspicious circumstance that came before the Committee was an abrupt and unexpected admission of treating on the part of the sitting Member, Mr. Jervis. The Committee made the counsel for the petitioners give in a list of the parties alleged to have been bribed, and of the parties by whom the bribes were alleged to have been given. There was no evidence to show that any compromise whatever had taken place, and he would readily support the Motion of the noble Lord for issuing the writ.

Mr. WAKLEY: They had been told that it would be unjust to the borough of Horsham if they did not issue the writ; but he thought it would be unjust to the electors of this country if the writ were issued. Was it right, he would ask, to punish the candidate alone, and not to punish the corrupt body of electors who may have forced him into such proceedings? In the case now before the House, the sitting Member had been most completely victimised by the corrupt proceedings of the electoral body. Why should not the House punish the parties by whom the sitting Member had been led into a trap and then abandoned? The case was one most deserving of the suspension of the writ.

Lord J. RUSSELL said, there were two distinct questions before the House in coming to a decision on the Motion of the noble Lord, and on that of the hon. Gentleman. One was as to the conduct of the Select Committee, and whether they had acted according to the law providing for such cases; and the other was, what course the House ought to pursue if the conduct of the Committee had been irreproachable? Upon the first question it had been shown that the course taken by the Committee was in strict conformity with their duty. The question before the Committee, and which they were directed by the Act of Parliament to inquire into, was, whether any compromise had taken place between parties. The Committee were of opinion that no such compromise had taken place; and he thought they had come to a right decision upon that point. Although there were allegations in the petition respecting bribery, they were not gone into; and the Committee could not report upon such cases to the House. But in coming to the opinion that the Committee had acted legally—that the evidence did not bear out any suspicion of a compromise—and that with respect to bribery there was no evidence to show it had been practised, it nevertheless did not appear to him that the House would be justified in issuing the writ. The allegations were, that gross and systematic bribery and corruption had taken place, and that these corrupt practices were open and notorious in the borough of Horsham. He might say respecting the Act of Parliament which he had himself introduced, that he should have been glad if it had given a special power to Committees where similar allegations were made, to order such cases to be further heard by the Select Committee, without any special report from the Committee to the House. He was disposed to think with the hon. Gentleman, that further inquiry should be made before issuing the writ in a case of so much suspicion. He said this, however, without being exactly aware of what had been the practice of former Committees, and the course which had been taken in respect to other boroughs. Without, then, being prepared to agree with the Motion of his hon. Friend the Member for Montrose, he might support an Amendment that the House should not issue the writ without further inquiry. Allegations might only affect one or two electors, and not the general character of a borough; and if that were the case there might be ground for further inquiry, although it could not be had under the forms of an Election Committee; and on the ground of further inquiry he was prepared to vote against the issuing of the writ.

Mr. BANKES was glad the noble Lord had done justice to the Committee. Their desire had been to perform their duties with all the impartiality of jurors and judges, and throughout their proceedings their opinion had always been unanimous. With respect to bribery, the noble Lord had with truth observed that the Committee not only had not inquired into the question, but had not possessed the means of inquiring, for, under the circumstances of the case, the parties were not bound to put in any lists; and neither the Committee Clerk nor the Clerk to the General Committee had been supplied with those lists. There had been no evidence whatever of bribery laid before the Committee.

Sir R. PEEL wished to understand clearly what the noble Lord at the head of the Government intended to do. As the question stood, it was proposed that a new writ should issue for the borough of Horsham; to which the hon. Member for Montrose moved, as an amendment, that a general rule be established, which would have the effect of tying up the discretion of the House, by providing that if any Member be unseated upon charges of bribery or treating, the issue of the writ should be absolutely suspended until an inquiry before a Select Committee should have been instituted. In many cases of this kind there appeared to have been a very lax practice; and he thought it might be very desirable to institute inquiry in many of those cases where charges against Members might not, on technical grounds, have been inquired into. But it did not appear to him expedient to adopt a rule absolutely preventing the issuing of the writ in every case where a Member had been unseated for treating, because there might be many instances in which a Member might be properly disqualified for sitting without any imputation resting upon the purity of the borough. He did not agree with the hon. Member that the House should prevent the exercise of its own discretion in particular cases by an inflexible rule that in every case of this kind, even in those where the treating had been confined within the narrowest limits, the writ should not issue until there had been a preliminary inquiry before a Select Committee. He understood the noble Lord to object to the Motion of the hon. Member for Montrose, but understood the noble Lord also to be of opinion that in the case of the borough of Horsham sufficient had been disclosed in the evidence before the Committee to justify the proposition for further inquiry; and that the noble Lord consequently proposed to suspend the issuing of the writ in this particular case, not indefinitely, but with a view to further inquiry. Was he (Sir R. Peel) right in this view of the noble Lord's intention? [Lord J. Russell: Yes.] If that were the case, and if the noble Lord proposed a temporary suspension only, with a view to further inquiry, he should defer to the authority of the noble Lord, and was prepared to support that view of the case.

Lord J. RUSSELL explained: He had objected to the Motion of the hon. Member for Montrose as of too general a nature, but had expressed the opinion that there should, in the present case, be a suspension of the issuing the writ until there had been some inquiry by the House into the state of the borough of Horsham.

The Earl of MARCH, after this expression of opinion regarding the suspension of the writ, begged leave to withdraw his Motion.

Motion and Amendment withdrawn.

COUNTY COURTS—CASE OF MR. POLLETT.

Mr. BAILLIE COCHRANE wished to know if the Government were aware that the Whitechapel county court apparently had the power of committing any person owing a small sum, which he was not able to pay, to prison for contempt of court, that contempt being his inability to meet his debt, and that, upon that ground, he might be committed to gaol for a certain number of days? He put this question in connexion with the case of Mr. Pollett, which he had recently brought under the notice of the House. From information he had since received, it would appear that this was not at all an isolated case. An instance equally flagrant had just come to his knowledge, in which a man who owed 2*l.* 10*s.*, and was found unable, when brought before the Clerkenwell court, to pay that sum, was exposed to somewhat similar treatment. He stated, that, after being committed to the gaol, he was dressed in prison clothes and compelled to walk about the yard among all the vagabonds and thieves; that he was put to pick oakum, and dealt with in every respect as a criminal. Cases of such gross cruelty ought to receive the immediate attention of Government; and if it really was within the power of a county court to commit an unfortunate man to prison on the ground of contempt of court, merely because, at the particular moment, he might find himself unable to discharge the full amount of the debt, it was quite obvious that the law ought to be so far modified as to give to the individual in humble station that protection under such circumstances which was already well secured to the members of the higher classes.

Sir G. GREY was not in a position just

now to state whether or not the judges of the county courts did possess powers to an extent to which, from the statement of the hon. Gentleman, they would appear to have been exercised. There was no doubt, however, that they were empowered to commit to prison fraudulent debtors for a limited period; and they had also powers to commit those who, on being summoned for a debt, were found to have improperly expended the money which, in justice, belonged to their creditors. In such cases it should be understood the committal was not on account of mere inability to pay, but on the ground of bad conduct. With regard to the particular case adverted to by the hon. Gentleman, that of Mr. Pollett, he had only to say that he had called attention to the regulations which were required to be enforced in all the prisons of the county, and which, had they been duly observed, would, he thought, have prevented Mr. Pollett being treated as a felon.

Conversation dropped.

THE EARL OF MINTO.

Mr. HUME: I wish to ask my noble Friend the Secretary for Foreign Affairs a question, the answer to which, at this moment, will be of some importance. There is great anxiety in this country that we should keep aloof from all warlike interference on the Continent, and some apprehension has been excited at observing that Lord Minto seems to be going from place to place in Italy as the authorised agent of Great Britain. He went in a ship-of-war from Naples to negotiate between that country and Sicily. It is of the greatest importance that we should abstain from all interference in Continental quarrels; and I hope that my noble Friend will take this opportunity of explaining the proceedings of Lord Minto.

Lord J. RUSSELL: I think that my noble Friend (Lord Palmerston) did explain to the House on a former occasion in what capacity Lord Minto was acting between Naples and Sicily. Lord Minto had credentials to the King of Naples; and having been asked by His Majesty to go to Naples, he was then requested both by the King and by the Neapolitan Ministers to interpose the good offices of this country to make the terms which Naples had offered to the Sicilians acceptable in Sicily. Lord Minto, as representative of an Ally of the King of Naples, thought that he could do no less than interpose in the manner suggested, merely offering his good offices, and he did proceed in a ship-of-war with such terms as he thought would be satisfactory to the Sicilians, and to which it was understood they would agree. And though he went in a ship-of-war, it was with no intention of using force, or of interfering in any way between the two people. I think—as representing the Ally of the King of Naples—to bring the two countries into harmony under the one Crown, would have been only a friendly service, and one which he could not well have refused attempting. Lord Minto acted in the capacity of Minister of this country, but without any view of interfering further than by interposing as I have stated.

Mr. HUME: Yes; but the King of Naples has abdicated; and why is Lord Minto there now?

EJECTMENTS (IRELAND).

Mr. POULETT SCROPE had given notice that he would that evening move—

> "That the extent to which the clearance and depopulation of many districts in Ireland is proceeding, demands the serious and immediate attention of Parliament, with a view to the protection of large numbers of Her Majesty's subjects, who are thereby forced from their homes, and deprived of their accustomed means of existence."

He had prepared the details of a multitude of cases in all respects similar to that to which he had called attention the other night, and in which a Mr. Blake, of Galway, had been concerned; but since he had come into the House he had been informed that this subject was now under the consideration of Government, and that they had determined to introduce a measure for the purpose of putting an end to this dreadful state of things; and as he had no wish to impede public business, or unnecessarily to detain the Speaker in his present state of health, he would leave the matter in the hands of Her Majesty's Ministers, and at once withdraw his Motion. He only hoped that this measure would be prepared with all possible speed. The 25th of March had passed; all the notices served in autumn last were now in full force, and under these notices ejectments to an enormous and appalling extent might be carried out in Ireland, to the utter ruin of a very large portion of the population. He trusted also, that the application of the measure of the Government would not be confined to cases such as that of Mr. Blake, where the actual powers permitted by the law had been exceeded. There were other outrages perpetrated upon the peasantry, under all the forms of the law; and these were not less injurious to the prosperity of the country, and not a whit less shocking in character.

Mr. OSBORNE thought that the House would feel indebted to the exertions of the hon. Member for Stroud in this matter; and the evil which the hon. Gentleman pointed out was undoubtedly a fit subject for immediate consideration. He was bound to say that, so far as his humble endeavours had gone, he had, in some degree, approved of the policy of Her Majesty's Ministers; and all that he now found fault with was the absence of a sufficiently comprehensive spirit in their measures.

Mr. F. FRENCH complained of the conduct of the hon. Member for Stroud in rising night after night without giving any notice whatever, and attacking Irish landlords and reading statements which at the moment there were no means of refuting. It would be easy to show that not one of the charges which the hon. Member had urged had the slightest foundation in truth.

Mr. REYNOLDS thought that, instead of joining in this censure, the House would be inclined to express its gratitude to the hon. Member for Stroud for the uncompromising manner in which he had exposed this gross abuse. It was a serious accusation to bring against that hon. Member that he had made statements not founded on facts; but it would be very easy to discover whether this last charge, affecting the character of Mr. Blake, was true or untrue. If Major M'Kie had calumniated Mr. Blake, let him be dismissed; so far, at least, they had the authority of Major M'Kie for believing the story to be genuine. He had been in Dublin on Monday last, and though he had only been absent a month, he had observed a decided change in the feelings of the best disposed of the people. He had noticed that they had withdrawn their confidence from that House; and one of the causes producing that, no doubt, was the late refusal of hon. Members to accede to the Motion of his hon. and gallant Friend the Member for Portarlington (Colonel Dunne). Of course people would not expect much from the British Parliament, after it had refused to inquire into the operation of the laws relating to the poor. The hon. Member proceeded to quote from the recent report of the General Relief Committee for Ireland, of which, he said, the Marquess of Kildare was the President, and which included among its members the Protestant and Roman Catholic Archbishops of Dublin. The report stated that the Committee had been furnished with returns from 580 parishes — returns substantiated by the signatures of the parochial clergy—and the statements were, that from the comment of the famine, up to September, 1847, 35,166 persons had died of actual starvation; that 94,007 had died of diseases induced by bad food; and that, at the date of the returns, 58,140 persons were labouring under various diseases. These returns included only one-fourth part of Ireland; and, as the report worded it, " some idea may be thus formed of the extent of the calamity which has befallen the country." This was the result, after all the efforts of the Government, and all the exertions of private societies and individuals; and he would ask if a parallel to this report could be found in the annals of any civilised country ?

Mr. STAFFORD did not think that the hon. Member for Stroud was fairly open to the criticism of the hon. Member for Roscommon (Mr. French). The hon. Member founded his case on official documents; and the House should recollect that the blue book had been compiled by the Commissioners, who probably had left out a good deal which might tell against themselves. But when hon. Gentlemen inveighed in this way against the administrators of the poor-law in Ireland, they should not forget that they were themselves *particeps criminis*, inasmuch as they had adopted the legislation which led inevitably to the consequences now complained of. He had warned them over and over again, when the subject was under discussion, that by extending the electoral districts and making the improving landlord liable to the maintenance of paupers ejected by his non-improving neighbour, they created a temptation which it was not to be expected would be resisted. As an English Member, representing a hard-working, heavily-taxed, and loyal constituency, he had felt it to be his duty to get up in his place and warn the Government that, as it at present worked, the Irish poor-law was eating the capital of the country and pauperising two of its provinces. He was glad that a Commission had been issued to inquire into its working; but there would be a phalanx of bad landlords against it, and only those who desired to do their duty and to improve the agriculture of the country would assist it. By refusing the Committee moved for by the hon. Member for Portarlington (Colonel Dunne) the House had taken the responsibility of the whole Irish poor-law on their own hands. Having done so, let them not refuse to take the warning of an Irish proprietor representing an English constituency which he had uttered when they passed the Irish poor-law, and now repeated, at the risk of wearying the patience of the House.

Sir G. GREY had hoped, after what had been said by the hon. Member for Stroud, that the House would not have gone into matters connected with Ireland and the Irish poor-law. For the reasons assigned by that hon. Member, he should abstain from entering into any statement upon these subjects, and should only say, with reference to what had fallen from the hon. Members for Northamptonshire and Dublin, that in opposing the Motion of the hon. Member for Portarlington, he could assure the House that he was not influenced by any want of sympathy for the distress which, he admitted, did exist in a large portion of Ireland. He had thought that the appointment of a Committee at the present moment would tend to defeat the operation of a law which would mitigate the distress; for he believed that the Irish poor-law, whatever temporary evils might be incidental to its administration, would tend very greatly to mitigate the distress under which Ireland had laboured. The hon. Member for Northamptonshire, when the Bill was introduced, had advocated a town-land area of taxation. [Mr. Stafford: No, no!] He was glad to find he was mistaken. With respect to the contents of the blue book, it had been his endeavour to show the working of the poor-law, without introducing any extraneous matters whatever, and he believed that, upon the whole, they did give a fair and just view of the operation of the poor-law in Ireland. The hon. Member for Dublin had called his attention to the evidence collected by Major M'Kie. Government had no reason to distrust that evidence; and they proposed to submit a measure to the House, not to give a right of perpetuity to tenants-at-will, but to give more protection than under the present law, and to give a right of sustenance to parties evicted. He hoped to be able, at an early period, to bring forward that measure.

Sir H. W. BARRON said, the landlords of Ireland as a body would be quite satisfied if they had, *bonâ fide*, the English poor-law in all its details; but what they pressed upon the House and the country was, that they had quite a different law—a law which was breaking down into pauperism a large portion of the farmers of the country. The hon. Member for Stroud said he had many other cases of eviction to bring forward. That was a general statement, and he could only meet it by a general answer. If the hon. Member did bring forward those cases, when the other side of the question was heard, nineteen out of twenty would break down, and prove to be gross exaggerations.

Mr. FAGAN thought the hon. Member for Stroud was entitled to great credit for his humanity, and for standing forward, on all occasions, to endeavour to amend the Irish poor-law. He did not think that the hon. Member could be justly accused of making sweeping and general charges against landlords in Ireland. He had, from the first, boldly come forward and given the names of the parties. In the case of Mr. Walsh, he had reason to think the hon. Member had been misinformed; and he came forward nobly, and said he had been mistaken. But, by the blue book, it appeared that the original statement of the hon. Member, in Mr. Walsh's case, was correct. He thanked the right hon. Baronet the Member for Tamworth for his straightforward declaration that the conduct of Mr. Blake ought to be inquired into; and Mr. Blake had been removed from the commission of the peace. The hon. Member for Stroud had said, there were many other cases; and he might bring forward the case of a Member of that House, against whom charges of a stronger character had been alleged as to his conduct towards his own tenantry. As the right hon. Baronet had stated that it was the intention of the Government to bring this subject before the House in the shape of a Bill, he begged to call the particular attention of the noble Lord to a case in which over 500 families had been ejected from an estate in one of the divisions of the Tralee union, under the Court of Chancery. He thought, a case of that kind deserved the particular attention of the Government.

Mr. HUME wished to appeal to the House and the Government whether, whilst they were meditating an amendment of the law upon this subject, they should not bring forward some measures to meet the wishes of the people of Ireland. He was not in the habit of feeling alarmed, but when he saw so large a portion of the people of Ireland complaining that they were not put upon the same footing with the people of England, he thought it would be true wisdom on the part of Her Majesty's Government speedily to bring forward a measure to meet their reasonable demand.

Motion withdrawn.

SUPPLY—ARMY ESTIMATES.

House in Committee of Supply.

MR. F. MAULE said, it was his duty to propose to the House the amount of force which Her Majesty's Government thought it necessary to maintain during the ensuing year for the defence of this country and of our dependencies. The votes which he should propose had been, in common with others, referred to the Committee that the House had appointed to consider the estimates generally; but the Gentlemen who constituted that body very properly considered that they were not at liberty, in Committee, to discuss that particular part of the estimates which it would then be his duty to submit to the whole House in Committee of Supply. That Select Committee which sat upon the estimates were of opinion, with him, that, as to the amount of force necessary for the defence of the country, dependence must be placed upon the responsibility of the Executive Government for the time being; and while assent to such estimates on the part of hon. Members did not imply direct confidence in the Government for the time being, yet he agreed with the right hon. Baronet the Member for Ripon, that the refusal to admit the necessity for that amount of force which the Government thought requisite, very distinctly conveyed an expression of want of confidence in the responsible advisers of the Crown. In his opinion, if the Government had agreed to submit the amount of military required for the service of the Crown to a Committee upstairs, they would have laid themselves open to the accusation of the hon. Gentleman the Member for Middlesex. He believed it would not be necessary for him to utter another word in order to show that with reference to the Army the Government was not at liberty to depute the power which it possessed to any other parties, or with respect to the military service of the State to cast the responsibility off their own shoulders. The proposition which he intended to put into the hands of the Chairman was to this effect—that the number of men which the House should vote for the service of the United Kingdom during the ensuing year was to be 113,847, exclusive of the troops employed in the territories of the East India Company. One of the first duties which he had to perform was to assure the House that in coming to a conclusion that such a vote should be proposed to the House, the Queen's Government had had the closest regard to every consideration of economy. They had examined most scrupulously the demand for troops in every quarter of the empire, and after the maturest deliberation they became convinced that the exigencies of the country would not admit of the proposed force being in any degree diminished. Before he proceeded further, it became necessary he should remind the House that against these estimates two accusations had been brought. The first was, that they had been formed on too great a scale as regarded the amount of force to be employed; secondly, that they had been constructed with too little regard to economy, and that this had been the case not only in the instance of the present estimate, but with regard to the several successive estimates proposed to Parliament since the year 1835. Now, he should begin by considering one of these charges at a time; and he should in the first place confine himself to the charge or accusation that the present estimate greatly exceeded that of 1835. He should set out by undertaking to show that in all the charges for effective troops a reduction had been steadily taking place ever since the year 1835; and he begged particularly to inform the House that any increase in the estimates since 1835 had been occasioned by circumstances that had since then arisen; further, he hoped to be able to show that in the whole of that time there had not been a greater force maintained than the existing exigencies at those several periods required; finally, he expected to be able to show that in every branch of military expenditure every practicable degree of economy had been carried out, and that the vote proposed for the present year did not exceed what the bare necessities of our position required. In the year 1828 the number of men voted for the military service of the State was 91,075; that for the year 1848–49 was to be 113,847 men. The charge in money for the men voted in 1828, was 6,584,241*l.*, while the charge for the greater amount of men in the present year was 6,318,686*l.*, which left a difference of 265,555*l.* Although the military force of the country had been increased, the House would see that that object had been effected, not only without increased expense, but, in fact, upon more economical terms. He held in his hand a comparative statement of the Army Estimates for several years past; but he should more especially direct attention to the estimates as they stood in 1835, with a view to bring them into contrast with the estimates now to be voted by the House. In 1835 the number of officers was 4,405, of non-commissioned officers 6,268, of rank and file 70,162, of all ranks 80,835; and the total charge 5,793,456*l.* The estimate now before the House showed that the number of officers required would be 4,771, non-commissioned officers 8,110, of rank and file 100,442, of all ranks 113,323, the total charge for the latter year being 6,318,686*l.*; making a difference between the officers of the Army in the one year, as compared with the other, of 366, of the non-commissioned officers, 1,842, of the rank and file, 30,280, of all ranks, 32,488, and in the charges a difference of 525,230*l.* One proof of the economy practised in the preparation of the present estimates could be derived from a calculation very easily made, from which he assured the House it would appear that the proportion of additional officers to additional men was as 1 to 88; and in order to do justice to the plans of the Government, it would be only fair to add the force necessary for the country service. He was sure that no one who contrasted the state of the Army in the year 1835, with its condition in the present year, could possibly say that any changes had been made with a view to augment the patronage of the Crown; for whereas in 1848 the proportion of officers to men was as 1 to 17, in 1835 it was as 1 to 22; yet notwithstanding the great increase of men, and notwithstanding the great increase of other expenses, there was only a difference in charge of 525,000*l.* If he looked to the real increase of expense, he found the charge borne on the estimates of the present year 1848–9, for the pay and allowances of the Army to be as follows: 366 officers, costing 68,473*l.*; next came 1,842 non-commissioned officers, the charge for whom was 54,785*l.*; and, finally, a difference between the two estimates of 30,280 rank and file, the charge for whom was 559,812*l.*, making a total of 683,070*l.*; to which must be added annual allowances, 7,511*l.*; agency, 4,526*l.*; clothing, 82,291*l.* The regimental charge, then, for 32,488 officers and men would be 777,398*l.*; the increased charges made for beer money, recruiting, and other services consequent on the proposed increase was estimated at 130,657*l.*; hence the total charge for 32,488 officers and men was 908,055*l.*, being not quite 30*l.* per bayonet. Now, he begged the attention of the House to this—that the amount voted in 1835–36 for 80,835 men was 5,793,456*l.*; then, if the charge already stated for the difference of men (32,488), being 908,055*l.*, was added, the total charge for 113,323 men would be 6,701,511*l.*; then let the further charges be added which were placed on since 1835, and there would appear a sum of 255,795*l.*, being a total of 6,957,306*l.* Then it was to be remembered that the amount to be voted in 1848–9 for 113,823 men was to be 6,318,686*l.*; there was, therefore, a decrease in 1848-9, as compard with 1835-6, of 638,620*l.*; and if any hon. Member took the trouble to make a trifling calculation, he would find that in the present year the average charge would be 39*l.* 10*s.* 8*d.* per man, while the cost of each man in 1835-6 was 42*l.* 4*s.* 4*d.*, leaving a difference of 2*l.* 13*s.* 8*d.* per man. In justice to the present economical system, the charges of the staff ought to have been contrasted, and the difference stated; neither should the charge of 255,795*l.* be left out of view. Further, he trusted that the House would bear this in view, that various charges were now added to the Army Estimates which formerly did not belong to them; those charges, no doubt, were sanctioned by the House. He would now, with the permission of the House, shortly state the nature and amount of those charges which since 1835 had been placed upon the Army Estimates, being transfers from other estimates, or being expenses incurred with a view to ameliorate the condition of officers or men. These were the expenses to which he now begged to call the attention of the House; namely, the increased pay to adjutants, 3,000*l.*; good-conduct pay, 33,035*l.*; pay of military labourers, 4,000*l.*; allowance to regiments in China, 8,280*l.*; barrack labourers, 2,000*l.*; schools for female children of soldiers, 3,000*l.*; military prisons, 23,510*l.*; Divine service for Roman Catholics, 2,600*l.*; regimental savings-banks 2,500*l.*; allowance to black servants, 5,500*l.*, gratuities under good-conduct warrant of December, 1845, 4,000*l.*; Guernsey and Jersey militia, 2,802*l.*; giving a total of 94,227*l.* From this there was to be deducted the lodging-money, which had been transferred to the Ordnance Estimates, amounting to 5,000*l.*, and one day's pay for leap year borne in 1835, 6,500*l.*, making together 11,500*l.*, which, taken from 94,227*l.*, left a difference of 82,727*l.* He would now proceed to another statement from the papers before him, to which he thought the attention of the House ought to directed: it was as follows—money allowances and contingent expenses of staff-officers abroad, 16,868*l.*; additional medical staff in Africa for reliefs, 2,800*l.*; allowance to medical officers for servants, 2,000*l.*; promotion and increased pay of medical staff-officers, 4,500*l.*; deduction from regimental officers holding staff appointments given up, 906*l.*; yielding a total of 27,074*l.* Now, there were to be deducted the charges of boatmen, transferred to the Commissariat, 2,112*l.*, together with one day's pay for leap year in 1835, 215*l.*, yielding a total of 2,327*l.* This deducted from the previous sum left the net cost of the staff at 24,747*l.* It was to be remembered that formerly the letters of the various public departments were transmitted free, but since the introduction of the penny postage each department was required to defray the expense of its own postage. Now, a deduction to that amount ought to be made in favour of the Army Estimates of the year 1848-9, which amounted to no less a sum than 27,880*l.* Then, at the Military Asylum, the charge for normal and model schools was 3,394*l.*; next there were rewards and annuities to non-commissioned officers for meritorious services, 2,000*l.* From those statements, he trusted, it must be now quite clear that not only had there been no want of economy in preparing the present estimates, but there had been a steady reduction of Army expenses ever since the year 1835. The next items of the expenses of the Army to which he should call attention would be—the amount of half-pay and allowances, 47,386*l.*; widows' pensions, 19,398*l.*; compassionate list, 61,000*l.*; the in and out pensions, 25,000*l.* Thus, in the non-efficient department, as well as in every other, there had been a steady reduction, and the whole had been reduced till it reached the lowest possible point. Having disposed of the comparative expenses of the years 1835 and 1848, he should now proceed to the more important branch of the subject, namely, whether the number of men now proposed to be voted was too large a force for the country to maintain in the present state of Europe and of the rest of the world. He should not refer to any events that had recently taken place on the other side of the Channel, as the report upon this subject had been laid on the table of the House before those events took place. But there were other considerations to which he might allude without dwelling on them at too great length. When they looked to the condition of our colonies—to the state of our Army in reference to reliefs—when they considered what they had to do at home and in Ireland, and also to the necessity for this country having at its command some kind of disposable force at all times—they would find sufficient reasons to support the vote with which he should conclude. He assumed, in the first place, that there was no man in that House prepared to say that we should allow our colonies to be in a defenceless state, or leave them to take care of themselves. He assumed, as granted, that our colonies were worth preserving. If that were so, this country was bound to preserve them, and consequently to protect them. In his opinion our establishments, at the present moment, in all the colonies, were at the lowest possible peace rate. He believed that, if hon. Gentlemen would look to the reports of the two Committees which sat in 1834 and 1835 upon our colonial military expenditure, they would find that in most of our colonies, except to those to which he should more particularly allude, the military establishments had been kept at the point at which it was then recommended to be kept, namely, at the very lowest justifiable point for a peace establishment. In fact, he might say, that in the Mediterranean—at Malta, Gibraltar, and Corfu, the military establishments had been barely sufficient to maintain what might be called the absolutely requisite military police of each of those stations. Indeed, so inferior had the force been found to be at Malta, that it had been thought right within these few weeks to order another regiment to proceed immediately there to reinforce the garrison of that island. It might, perhaps, be said by some, that these were military posts which it might not be worth the while of this country to look after; and, indeed, the hon. Member for the West Riding of Yorkshire had described Malta as a hiding-place for our ships. But he looked on these posts as places of great importance. He looked upon them—as a Queen of England had formerly regarded them — as jewels in Her crown, and landmarks of Her power and glory, which he thought it would be dishonourable to tarnish, and disgraceful to surrender. He maintained that these were places which they were bound to protect as long as they desired this country to maintain that character which for years it had maintained as a nation, not only in Europe, but in the world. Not only should these points be maintained with a proper force to carry on the duties which were demanded of the military force in each of them respectively, but, on the smallest exhibition or suspicion of war, there should be troops ready at home to reinforce them, and to place them in such a condition as that they could not be attacked by any foreign foe with any prospect of success. With reference to another colony, namely, Canada, since 1835 many changes had taken place. In 1835, he believed that the only troops accorded to Canada were not more than 2,095. Since then events had occurred in that colony which, he believed, had shown that it would have been attended with greater economy had there been a larger military force stationed there. But let that be as it might, Canada since 1835 had been much developed; and it required a much larger military force in times of peace now than in 1835, for the purpose of occupying the various military posts which, according to military authority, it was necessary to occupy—which it was requisite to watch merely for the purpose of restraining our own people from passing over the border—and which were watched at the present moment with the least possible force that could be used for such a purpose. At Bermuda the force was increased from its having been made a depôt to which convicts were sent, in preference to the old system of sending them to the convict colonies. In Australia there had been a considerable increase of force; and many demands for further troops there had been made, which it had not been thought proper or expedient to comply with. In New Zealand there had also taken place a considerable augmentation of the force, owing to circumstances over which there could be no control, but which rendered it incumbent on this country to send aid and assistance to the colonists there. Then, again, a new colony had sprung up, for which we were bound to find troops and military protection, namely, Hong Kong. All these constituted demands on the military service from the fountainhead at home, which it was necessary to meet; and it was likewise necessary to supply the reliefs from this country in due and regular succession. This brought him to the next point, and that was the subject of reliefs. No one had taken a more prominent part on this subject than the hon. Member for Montrose, and there was no one to whom he was ready to accord more credit than to that hon. Member, for the interest he took in all that that gallant and now noble individual (Sir H. Hardinge) did for the purpose of relieving the troops from too long a continuance in foreign service. There was nothing, perhaps, which had so great a tendency to render the service unpopular as the extremely long periods for which regiments had been sent abroad, some to bad and some to better climes, but all in the condition of expatriation for fifteen, twenty, and even twenty-five years. The great object which Sir H. Hardinge attempted to attain, and for which he added, with the consent of this House, a considerable increase to the Army supplies, was, that there should be a regular succession of colonial service, not exceeding ten years in what he might call the nearer colonies, and not exceeding fifteen years in Australia and the East Indies. He was happy to think that at the present moment they had accomplished that object; and when the regiments at present on their way home from the East Indies should have arrived in this country, he did not think that they would have a single regiment absent on service from England for a longer period than twelve years. He was now speaking of infantry regiments. He believed that he might fairly state, that owing to the number of troops lately ordered home, the average service of the regiments at present in the East Indies would not be found to be above six years and two months. In Australia, the average service, at present, of the regiments there, was about five years; in China, about ten years; in Ceylon, about two years and a half; and in British North America, about seven or eight years. If, therefore, it should be proposed, as he had heard it whispered, to diminish the number of the Army to 100,000 men—that being a reduction of 13,000 men—then the very circumstance on which he was now congratulating the Committee, namely, of having brought the reliefs for foreign service within a reasonable period, would be to a great extent frustrated. He did not think that after what he had stated, any person capable of considering the condition of our colonies—the wide extent of them, and the very few troops comparatively with which they were provided at present—would say that we could, in the present state of affairs, with any prudence venture to reduce our establishments in that way. Let them look at home. Could they, or could they not, reduce the establishment at home? He regretted to say that they had at present a large force in Ireland. For reasons into which he did not now mean to enter, he regretted to say that they were compelled to maintain a large force in that country. The force there at the present moment consisted of very nearly 26,000 men. It was scattered over 150 stations. He believed that no troops, either in the colonies or in any other part of Her Majesty's dominions, could have more harassing duties to perform, and that no troops had exhibited more exemplary conduct than the army in Ireland during the past year. There was at the present moment in Ireland a Lord Lieutenant, the administration of whose Government had received in his (Mr. F. Maule's) hearing in that House eulogistic testimony from both sides of the House. It had been admitted that that noble individual had administered the government firmly, but at the same time with prudence and discretion; and if the noble Lord were asked whether he could consent to a reduction of the troops in Ireland at the present moment, it was his (Mr. F. Maule's) conviction that the answer of the noble Lord would be, that it would not be prudent to reduce the number. He (Mr. F. Maule) felt deeply on the maintenance of so large a force in that country. He anxiously wished that it could be reduced, and that by such reduction there might be effected a decrease of expense; but without stating more than his own conviction on this point, he would pass to the question whether any reduction could be made in England, for in Ireland he was convinced it would not be prudent to make any. Then let them look to England, and the way in which the Army was disposed here. He found by a return, which he held in his hand, completed up to the 8th of March, that there were at this moment in England 26,474 infantry, and 3,553 cavalry; making in all about 30,000 men. [Mr. Osborne: How many pensioners are there?] He could not answer that question at the present moment. The question of the maintenance of a military force in England was, he was aware, a delicate question to discuss in a constitutional point of view in that House. He had, however, already stated one reason why a portion of our military force should be kept up, namely, that this country ought never to be, under any circumstances, and more especially under the present, without a disposable force, in the event of war or the rumour of war, for reinforcing those points which it was necessary to maintain, and for the defence of our colonial empire. Then, with respect to other reasons, he would ask, was there no property in England to be protected? Were there no individuals in England who looked to the military as a force, not for overawing public opinion or public liberty, but for protecting property and life? In his country it happened not long ago that great complaints were made to the effect that there was not a sufficient protective force present when an excited mob plundered and pillaged, for the space of some hours, much property in the mercantile metropolis of Scotland. He had also heard that not many days ago, when it was proposed to remove troops from a large, populous, and trading town in England—he had no hesitation in stating that he meant Wigan—to more convenient barracks in the neighbourhood of Preston, the magistrates of Wigan, so far from complaining that these troops had been unnecessarily quartered on them, remonstrated against their being removed to so great a distance. He believed that in all our mercantile and manufacturing towns there were no parties who at the present moment complained of any intrusion of troops on them, but they looked upon the troops as parties who would protect them; who would not interfere with the liberties of the subject; and would not, under any circumstances, commit an unconstitutional act of any kind. The force scattered all over England and Scotland amounted to about 30,000 men, or about one soldier to 1,000 of the population. He did not think that that was an amount of force that could be regarded as intimidating. But what was the amount of property for the protection of which Government was responsible? It was very well for the hon. Member for Montrose to say he would reduce the number of troops in this country; but suppose, in consequence of such a reduction, advantage were to be taken, such as had been the case in former times, and on former occasions, of the absence of military force, or any controlling power, by those who had no respect for law. The Government would immediately be held responsible for not having a proper force at command in order to prevent and to stop all violations of the law. He well remembered, when he was formerly in the Home Office, that for nearly a day and night the great and populous town of Birmingham was absolutely at the disposal of an excited mob, and all for want of military protection, which he thought the Government was bound to have it in its power to afford on such unfortunate occasions. Taking into consideration the amount necessarily required for reliefs abroad, and for such a disposable force as it was the duty and the interest of the Government to maintain; he did not think that there was one soldier in this country more than was absolutely required for the public service. He had thus endeavoured to meet and discuss the two objections taken to the Army Estimates. He might go into other particulars. He might gratify the House by details of increased good conduct on the part of the Army; by an account of the diminution of crime in it; and the decrease of the application of that punishment to which that House most properly objected. He might give a gratifying narrative of the improved state of its sanitary condition in many places, and of its falling off in none. He would content himself now with entreating the House not to consent to any Motion for a reduction of that number of men which the Executive Government had thought it their duty to ask for. This did not appear to him to be the time when this country should put on an appearance of weakness. If, in consequence of some colonial disputes, happily settled, and of the affairs of India wearing a more tranquil appearance, some gallant regiments came home with their well-earned laurels on their brow; and if the Government should find that they had not occasion for the services of the Army to the full extent by which those returned regiments might augment it, then leave to the Government the responsibility, which must always attach to them, if they maintained a larger force than requisite at an unnecessary expense. The Government always had it in their power to decrease the Army; but if the House now determined, by their vote, that a decrease should be effected, they must remember that it would not be in the power of the Government, if any emergency should arise, to re-establish the force on its former footing. He entreated the House, therefore, to accede to the proposal of the Executive Government, and to vote the number of men they thought necessary in order to maintain the honour and character of the country; and not, at a time like the present, to cripple their hands by restricting the amount of that force upon which the due execution of the duties committed to their charge must, to a great extent, depend. He now begged to propose—

"That a number of Land Forces not exceeding 113,847 Men (exclusive of the Men employed in the territorial possessions of the East India Company), but including Commissioned and Non-Commissioned Officers, be maintained for the service of the United Kingdom of Great Britain and Ireland, from the 1st of April, 1848, to the 31st of March, 1849."

Mr. HUME had listened with great pleasure to the statement of the right hon. Secretary at War, and he must say that he considered that many important and wholesome alterations had been made in the administration of the Army within the last few years, which had tended greatly to ameliorate the condition of the men. He considered that, by the almost entire abolition of the punishment of flogging, the House had done much to improve the character of the soldiers, although it had been predicted that that measure would have a contrary effect. But the question the House now had to determine was, what number of men should be maintained in the Army during the next year. He looked at this subject in a very different view from that in which it was regarded by his right hon. Friend. The right hon. Gentleman at the head of the department looked to that department alone, and was naturally anxious to see it in a state of the highest efficiency; but the right hon. Gentleman did not consider whether the country possessed the means of maintaining the large force he proposed, supposing the necessity for supporting it existed. The question as to what amount of military force ought to be maintained by this country had always been one of great difficulty. At the conclusion of the war, a Committee, commonly called Lord Castlereagh's Committee, was appointed, to ascertain and report what would be a proper peace establishment for this country; and in 1817 that Committee, in their second report, stated that the maintenance of a large military establishment must be attended with heavy and continued expense, while if the establishment were greatly reduced, the temporary gain in point of economy might be more than counterbalanced by the difficulty in which this country and its distant dependencies might be placed in the event of a sudden war; and the Committee, therefore, thought it advisable that the Executive Government, acting upon their own responsibility, should propose to the House the maintenance of such a force as they deemed necessary, and that the House should consider their proposal, with a view to ascertain whether the country possessed the means of supporting such an establishment. In 1828, a Committee which was appointed to inquire into the military and civil establishments declared their opinion that no Government was justified in taking even the smallest sum of money from the people, unless a case could be clearly established that the exaction would be productive of essential advantage. He considered that that declaration was most applicable to the present condition of the country; and that this was a time when not a shilling more of the public money than was absolutely necessary should be applied to the support of the public establishments. In consequence of the cost of the public establishments, the expenditure of the country for the last year, notwithstanding the large sum derived from the income-tax, exceeded the revenue by 2,956,000*l.*; and yet the Government now proposed a great increase of expenditure. [Mr. FOX MAULE: Not for the Army.] His right hon. Friend spoke for himself; he spoke for all. He thought, considering the great expense of the existing establishments, and the heavy burden of taxation, that the country was now precisely in the condition contemplated by the Committee of 1828, and that the House ought not to sanction the expenditure of a single shilling more than was absolutely necessary. In his opinion the changes that had recently taken place on the Continent were a great relief to this country; and he considered, with regard to the chance of war, that this kingdom was in a much safer condition than was the case when these estimates were prepared. He believed that if the Government of this country did not meddle with the affairs of other people, no nation in the world would be disposed to meddle with them. The fact was, that the Continental Powers seemed to have plenty to do at home, and all the people of this country had to do was to attend to their own affairs. The great burden of the country had always been its military establishments. In 1835 the charge for the Army, Navy, Ordnance, and Miscellaneous Estimates was 14,127,000*l.*, while last year the cost of these services was 23,580,000*l.*, the increase within twelve years having been more than 9,000,000*l.* He certainly considered that that House had neglected its duty in allowing such an increase; and he thought they ought to take some shame to themselves when they found that, in another place, a noble Lord (the Earl of Ellenborough) had come forward as an economical reformer, and had pointed out to the Government the excessive and extravagant increase of expenditure. He asked, then, for what purpose so large a force as that now proposed was required? From 1829 to 1834 the military force maintained by this country averaged only 88,000 men; and from 1835 to 1837, it was 86,000 men; but they were now asked to vote 113,000 men. Now, it must be remembered that, at the former period, they had not the organised police force in Ireland, which consisted of about 12,000 men, who were, in fact, so many additional troops. Since that time, also, there had been a very great addition to the regular police force of this country; they had had a force of 10,000 pensioners enrolled; nearly 10,000 of the labourers employed in the dockyards had been drilled; and some thousands of men belonging to the coast-guard service had been accustomed to artillery practice. These were, in fact, great additions to the military force of the country; and he thought, taking them into consideration, that 60,000 men would be a sufficient number of men to be voted for the Army by that House. Was there any thing in the state of this country to warrant a vote of so large a number as 113,000 men, in addition to all those irregular troops—to say nothing of yeomanry or militia? What was the right hon. Gentleman afraid of? If there was discontent here, let it be removed; if there was discontent in Ireland, let the Government delay not an hour to bring forward a remedy. Let them not trust to these large numbers of military, which the right hon. Gentleman said the magistrates required. Magistrates had been too much in the habit of calling in the military. The number of men in the Army, Navy, and Ordnance force had been increased from 121,000—the average of 1833, 1834, and

1835—to 171,000 in 1848, besides 34,000 irregulars; so that we were to have now 205,000 armed men ready to be employed. The average for the Army in 1833, 1834, and 1835, was 86,000 men; but at least let it be reduced to 100,000—the number fixed by the right hon. Baronet (Sir R. Peel) in 1844. It could be done by simply stopping the recruiting for a year; for the average number recruited for the Army in a year was about 12,000, though it was 24,000 last year. In Ireland we had only 21,000 soldiers in 1835; this year we had about 27,000. As regarded the colonies, if they were allowed responsible government to manage their own affairs, our force there might be reduced by one half and more; but, of course, there were some places considered rather as garrisons, such as Gibraltar and Malta. We had nothing to fear from abroad; we had only to set the example of disarming, and trust to other means for securing peace. He looked forward to a reduction to the extent of 30,000 men in the Army before long; but his present proposal was to strike off the 13,847. Indeed "necessity had no law," and unless we were to come within the category of "repudiators," we could not devise the means of keeping up such enormous establishments. He moved that the number of men voted be 100,000, instead of 113,847.

Mr. VERNON SMITH agreed with the hon. Member in all he had said upon the subject of economy; but he could not, with the same boldness as the hon. Gentleman had done, affirm that there was nothing in the present state of Europe to induce them to maintain the establishment which the Government had proposed. It might be very true that the Continental nations had plenty to do at home; but it was just possible that they might come to be of opinion that an aggressive system of policy was best for them, and so get rid of peccant humours by a foreign war. He thought, therefore, it would be hazardous to reduce the force which the Government believed, in their judgment, to be necessary; and he would have held the same opinion whatever Government had happened to be in power. Indeed, he did not know that they could have any other Government than the present, for the right hon. Baronet opposite certainly showed no thirst for office; and as for the Protectionist Powers, they had, it seemed, during the present Session, declared for a republic among themselves. But, whilst he was unwilling to reduce the Army in the present Session, he thought he saw in it ample materials for reduction in future. He referred to the number of men retained in the colonies. He had referred to this subject on a former occasion; and he was happy to find himself supported by such high authorities in the House as the right hon. Gentleman the Member for the University of Oxford, and the right hon. Member for Coventry. It was true the noble Lord at the head of the Government had afterwards, in allusion to the same subject, declared that, in his opinion, the colonies were the pride and glory of our country; and that, if the country was to be lowered in the scale of nations, he trusted he should not be the instrument. The House very properly cheered that lofty sentiment, in which he humbly but cordially concurred. But let not the House be paid off with words, and when they had cheered the sentiment, let them come back calmly to consider whether his proposition tended to lower England in the scale of nations. For his part, he would not abandon a single person who had settled in distant parts under the hope of our protection, nor would he give up a single colonial possession. He did not even agree with the hon. Member for Montrose in giving up the Ionian Islands, which, by the by, were among the few colonies that contributed something to their military expenditure. But without giving up the colonies, he thought without injury to them, and without exasperating them, they might contribute to their own defence. Take Canada, for instance—we had spent enormous sums of money in fortifying their frontier—we had done all for them that the Imperial Government could do, and now they ought to be called upon to defend themselves. There need be no fear of their turning these weapons against us; for the truth was, such was the nature of their country, that nothing but their own disposition to remain with us could preserve them in their allegiance. He was satisfied that, whenever a colony obtained responsible government, it ought to be called on to contribute to its own defence. Then take the Cape of Good Hope, a colony that had lately cost 1,100,000*l*. for the Caffre war. Now, it happened that in 1834 we had a Caffre war, when Sir Benjamin D'Urban governed the colony; but at that time there were only 1,700 troops; whereas, during the recent war, we had 5,490 troops employed. In the first war the burgher force was mainly instrumental in putting down the insurrection; but what was the conduct of the same force last year? He was sorry to read what he held in his hand, but it was a public document. Sir George Berkeley wrote to Sir Henry Pottinger on the 17th April, 1847:—

> "If the burghers, when they are called upon for the defence of their own country, do not choose to defend it, but when they are called out disband themselves whenever they please, then the sooner we leave them to their fate the better. It is useless for us to lavish men and money upon people who will not defend themselves. You will find by the enclosed despatch that the burghers shamefully deserted their posts last night."

He thought, therefore, there was room for retrenchment in the military expenditure of our colonies, and he trusted that Her Majesty's Ministers would apply themselves to this subject, or see what could be done in the matter.

MR. OSBORNE had opposed the reduction of the Navy Estimates, but was not disposed to pursue the same course with respect to the estimates for the Army. The Navy was the natural defence of the country; but a standing Army had always, and very properly, been an object of jealousy in England. Hon. Gentlemen were in the habit of contrasting our present expenditure with that of 1835; but he was not disposed to take the expenditure of that year as an unerring test. Of this the House might be assured, that as long as we maintained a bad system of government in this country, especially as regarded the Army, the people would be called upon to pay large sums for its support. Look at a comparative list of generals and field officers in three different periods. In 1783, the period of the American war, the number of generals and field-officers in the British Army was 824; in 1799, the period of the French war, it was 1,863; in 1848, a period of peace, it was 2,106. Could any person be surprised at our being called upon to pay large sums of money for the estimates when we maintained a staff of field-officers greater than that provided for the French Army of 400,000 men, which had also to furnish staff and inspectors for the National Guard, amounting to at least 200,000 men more. There was much talk about honour and glory; but what, after all, did honour and glory amount to? Taxation. That was the result of honour and glory. The burdens we were now labouring under were the penalties imposed by former wars. The account of what the wars of this country had cost was an instructive document. The supplies voted in Queen Anne's reign amounted to 70,000,000*l*. On the nine years' war of 1703 the country expended 66,000,000*l*. That was our first essay in honour and glory, commencing in Anne's reign. Proceeding next to the American war of independence, we find that in eight years ending with 1783, we expended (in addition to the loss by the decline of exports, which was very great) 129,123,091*l*. The cost of the French war from 1792 to the Peace of Amiens was 284,214,731*l*. The war from the Peace of Amiens to 1815, upon which the country so much felicitates itself, cost 827,000,000*l*. The average yearly expenditure during our twenty-three years' war with France amounted to 48,314,000*l*. The result of honour and glory was, that after we had deluged the world with blood the Chancellor of the Exchequer found it necessary to come down to the House of Commons at the end of thirty-two years of peace, and propose to raise the income-tax to 5 per cent! It should be borne in mind, that since the year 1835 we had increased our effective force to the amount of 97,000, by the enrolment of the pensioners and workmen in the dockyards. Year by year our expenditure went on increasing. The right hon. Baronet the Member for Ripon had truly observed on a former evening that the increase of expenditure was chiefly attributable to the desire which each department exhibited for its aggrandizement. Now he had a plan by which increased efficiency in the services of the country would be accompanied with diminished expenditure. In his opinion there was a possibility of effecting a great saving in the expense of the Army by consolidating the different departments, by retrenching superfluous expenditure, and by the reduction of the number of men. As to the consolidation of the various branches of the Army, it was known that the Army consisted of three branches: the infantry and cavalry, forming the *personnel*; the ordnance, constituting the machinery; and the commissariat, forming the necessaries. In this country (being an exception to every other country on the face of the globe) these three departments were placed on a separate and distinct footing, having no single controlling head over them. In 1837 a Commission sat on this very subject, and they recommended that the greater part of the authority, with reference to the Army, which at present belonged to the

Secretary of State, should, for the future, be vested in the Secretary at War, who should be a Member of the Cabinet. This was, in fact, proposing that there should be a Minister of War in this country, as there was in France. This Commission consisted of Lord Howick, Lord Palmerston, Lord J. Russell, Sir J. C. Hobhouse, and others. The Ordnance Department, consisting of the Master General and five officials, and costing the country 9,000*l.* a year, was recommended to be abolished and consolidated with the Horse Guards. Then came the Commissariat—that was at present placed under the Treasury. It could not be denied that, by placing these several branches of the Army under one head, it would be the means of introducing unity, simplicity, and vigour into all the departments. The pecuniary savings that would be effected by such a change would be very considerable. The cost of the official management of the Horse Guards was 96,590*l.*; of the Ordnance, 91,136*l.*; of the Commissariat, 316,031*l.*; and of the Army Agency, 32,000*l.* He proposed to abolish, first, the Master General of the Ordnance, and five officers connected with the Ordnance, which would effect a saving of 9,000*l.* a year; secondly, the Secretary at War and his deputy, which would save 5,000*l.* a year; thirdly, the office of Judge Advocate (retaining the deputy at 800*l.* a year) which would save 2,500*l.*; fourthly, he would consolidate the Adjutant and Quarter Master Generals' departments, which would save 5,000*l.* a year; and he would abolish the Army Agency or Paymaster General, by which 32,000*l.* a year would be saved. By the items he had enumerated a saving of the public expenditure on account of the Army would be effected of no less an amount than 53,000*l.* There was much superfluous expenditure in another branch of the British Army; he alluded to the number of generals and superior officers in comparison with the number of men under their command. In France, the Army, consisting of 400,000 men, costing only 12,000,000*l.* a year, had a less number of generals and superior officers than the English Army. He considered the colonels of regiments to be altogether superfluous; the duties being wholly performed by the lieutenant-colonels. And how were the colonels paid? In a manner which was a disgrace to the service. There were in the *Army List* of 1847, 387 generals, of whom 147 were colonels of regiments, who received among them annually 90,000*l.* for clothing; each colonel deriving a profit of 600*l.* a year from the clothing of the Army. Thus, a colonel having the command of two battalions would realise a sum of 1,200*l.* a year. This, he was aware, was not the case in every instance. Many colonels were out of pocket by this arrangement. Lord Londonderry, he believed, when commanding the 10th Hussars lost a thousand pounds a year by the system. But the office of colonel was altogether a sinecure, and he would at once abolish it. He might be told that it was a reward for past services; he knew it was, but he would prefer giving the men who deserved it a fixed sum of money rather than appoint them to a post which did not require them to discharge a single duty; for it was not necessary that the colonel should ever see his regiment. By the abolition of colonels a saving of 95,900*l.* might be effected, independently of the emoluments derived from the clothing, which amounted to 50,000*l.*, making altogether 145,900*l.* He would also abolish the office of second-majors—the duty being really performed by the lieutenant-colonels; thus he would strike off a further sum of 41,000*l.* Another department of the English force was one presenting the greatest anomaly—he meant the Ordnance Department. The artillery force was isolated, and did not form a part of the *personnel* of the Army. But who were its commanders? Had the present Master General or the other members of the Board of Ordnance ever served in the Artillery? What improvement had ever emanated from that Board except from the Duke of Wellington when Master General? He considered the present composition of the Ordnance to be an exceedingly mischievous composition, and the cause of a great waste of the public money. The musket of the British soldier was a clumsy weapon; and the rifle was not equal in range to that of the French. The artillery was held by all authorities on military subjects to be a primary arm of warfare. The cost of the artillery for pay, clothing, &c., per head, was 44*l.*, while that of the cavalry per head was 46*l.*, and that of the Life Guards per head was 66*l.* The various reductions which he had indicated would amount altogether to 570,000*l.*, without diminishing the forces by a single man. But there was a third question which remained to be considered, namely, a reduction of men. But with that question the House must be prepared to take up a much greater one—the remodelling of the colonies; and there was a further question, which, however, might come to be regarded as of a colonial character, with regard to Ireland. The right hon. Gentleman said, the object of a standing army was to protect the colonies. If so, the sooner they lost their colonies the better. It was a remark of Mr. Fox, that if Ireland was to be ruled by force of arms, the sooner they got quit of her the better. If the Government had not contented themselves with a Landlord and Tenant Bill, but had gone to the root of the matter, Ireland would not have been in her present condition. In conclusion, he might be allowed to observe, that the proposition he had made was one for which he might claim the right hon. Gentleman's support; for it was calculated at once to promote the efficiency of the Army and to diminish the expenditure.

Colonel SIBTHORP was in favour of economy, but not of reduction, which might endanger the safety and character of the country. He should most cordially support Her Majesty's Government.

Sir W. MOLESWORTH thought that two very different questions might be raised. First, whether the forces of the country should be at once considerably reduced below the amount which was found sufficient last year? Secondly, whether there should be made this year a not inconsiderable increase in the amount and in the cost of those forces? He acknowledged that the objections which had been urged against an immediate and considerable reduction of the forces of the country were not only plausible, but had much real weight at present; and he was not surprised to find the hon. Gentleman the Member for Montrose in a small minority, and that a large majority of the representatives of the most popular constituencies were opposed to his Motion. But he thought the question of an increase of the forces was a very different one from that of a decrease of the forces. He looked with considerable alarm at the steady and large increase of the expenditure which had taken place of late years in the Army, Navy, and Ordnance. He had, on a former occasion, shown that all the financial difficulties of the country could be traced to the increase of that expenditure. He had shown that since 1835 the expenditure for the three services had gone on increasing at the rate of 580,000*l.* a year; and he found to his surprise, on examining the estimates for this year, that the increase on the gross estimates for the three services, including militia and commissariat, amounted to nearly a million. He had shown that, in consequence of that increase of expenditure in seven out of the last twelve years, there had been an excess of income over expenditure to amounts varying from 300,000*l.* to nearly 3,000,000*l.* He had shown that if the expenditure for the Army, Navy, and Ordnance had continued the same as it was in 1835, in every one of those seven years there would have been a surplus of income to amounts ranging from 400,000*l.* to 4,000,000*l.*; and this last year, instead of a deficit of 2,956,000*l.*, there would have been a surplus of 3,800,000*l.* In fact, he had shown that the deficit for the year ending January last, was the consequence of the increase of the expenditure for the Army, Navy, and Ordnance, which had taken place since the accession of the present Administration to power. The noble Lord the Member for the city of London had the other night questioned the accuracy of that statement. He assured the noble Lord that that statement was correct. His statement was, that the deficit for the year ending January, 1848, had been caused by the increase of expenditure on the Army, Navy, and Ordnance, since the accession of the Administration of the noble Lord. In proof of this position he had observed that, for the year ending January, 1846, there had been a surplus of income over expenditure to the amount of 3,800,000*l.*, and that last year there had been a deficit of 2,950,000*l.* Thence he inferred that there had been a change for the worse in the financial condition of the country to the amount of these two sums united, namely, 6,750,000*l.* The noble Lord seemed to have misunderstood that position. He (Sir W. Molesworth) had not asserted that the expenditure of the country had been increased by that amount, but that the financial condition of the country had deteriorated to that extent during the last two years. What, he had asked, was the cause of that deterioration? The noble Lord had attributed it to a diminution of revenue, consequent upon the distress of last year. That explanation was insufficient; for the ordinary revenue of the country for the year ending January, 1848, was only 400,000*l.* less than the ordinary revenue for the year ending 1846. It was true that the casual revenue of the country had diminished since the year ending January, 1846, by the amount of

1,100,000*l.* in consequence of the cessation of remittances from China. Therefore, the whole amount of the diminution of the whole revenue, since the year ending January 1846, was only 1,500,000*l.*, and this would not explain how a surplus of 3,800,000*l.* had become a deficit of 2,950,000*l.* It was to be explained by an increase of expenditure during the last two years, to the amount of 5,250,000*l.* A portion of that increase, namely, 1,500,000*l.*, was on account of distress in Ireland. The larger portion of the remainder was on account of Army, Navy, and Ordnance, the cost of which services for the year ending January, 1846, was 15,662,000*l.*—namely, Army, 6,744,000*l.*; Navy, 6,809,000*l.*; Ordnance, 2,109,000*l.* For last year the cost of these same services was 18,500,000*l.*—namely, for the Army, 7,540,000; for the Navy, 8,013,000*l.*; for the Ordnance, 2,947,000*l.*—an increase in two years, on the Army of 796,000*l.*, on the Navy of 1,204,000*l.*, and on the Ordnance of 838,000*l.*;—total increase, 2,838,000*l.*; but the deficit for the year ending January last was 2,956,000*l.* Therefore, that deficit had been occasioned by an increase of expenditure on the Navy, Army, and Ordnance. He now challenged the noble Lord to show any inaccuracy in this statement. He referred the noble Lord to the finance accounts, and the return of the hon. Member for Sheffield, for the figures. He assured the noble Lord that his statement was correct, and if the noble Lord would consent to reduce the estimates to what they were for the year 1845–1846, he promised the noble Lord that the deficit for this year would be little or nothing. But, on the contrary, the noble Lord intended to increase the estimates by the sum of 959,000*l.* He thought this increase a very large one; and though he acknowledged the weight of the arguments which had been used against any immediate diminution of the naval and military forces of the country, he must say that he had heard no solid reasons for increasing those forces beyond what they were last year. With regard to the Army, the question raised by the hon. Member for Montrose was, whether its force could be diminished without detriment to the public service. He must acknowledge that there was no army in the world which was worked so hard in time of peace as the Army of England. With the exception of the few troops kept to defend and ornament the metropolis —(and brave and excellent troops they were when called upon to serve)—with the exception of them, the soldiers of England spent ten out of every fourteen or fifteen years in foreign climates, scattered a few hundreds together over the face of the earth; serving either amidst the snows of Canada or the pestilential exhalations of the two Indies; watching the convicts of Australasia, or guarding the rock-built fortresses of the Mediterranean; yet their discipline was admirable, and it was surprising how few complaints had been made of their conduct by a people with whom soldiers had never been popular. Were their numbers too great for the purposes for which they were required? He found that on the 1st of January last the rank and file of the British Army amounted to 123,971 men, of whom 22,975 were in the East Indies, 35,792 were in the colonies, 26,296 were in Ireland, 29,839 were in Great Britain, and 9,069 were on passage or under orders to return home. With regard to the forces in India, he should say nothing—they were paid for by India—and 22,975 rank and file did not seem to him an extravagant amount of British forces for so enormous an empire. With reference to the colonies, he found that the number of troops in the colonies were to be fewer this year than they had been in any year for the last nine years. It was true that they would be nearly triple the force which was in the colonies in the year 1792; but since that period the extent of the colonial empire of England had more than tripled. For instance, since that period England had acquired, in the Mediterranean, Malta and the Ionian Islands; in Africa, the colonies on the west coast, St. Helena, and the Cape of Good Hope; in the East, the Mauritius, Ceylon, and those on the coast of China; in the South, the Australasiatic colonies and New Zealand. According to the existing system of the Colonial Office, each of these colonies required troops, and a naval or military governor. He acknowledged, that unless that system were considerably altered and reformed, he doubted whether the amount of troops in the colonies could be diminished. He found that on the 1st of January, 1845, the distribution of the troops in the colonies was (he presumed the distribution was about the same last year)—in the Mediterranean, 7,208 rank and file, in the North American colonies, 8,682, in the West Indian colonies, 6,804, in the African colonies, 3,761, in the colonies in the East, 6,306, and in the Australasian colonies and New Zealand, 3,686. He thought, if the Colonial Office were reformed, some portion of these troops would become unnecessary. He meant by a reform of the Colonial Office, that that office should adopt as its rule of conduct the greatest possible abstinence from any interference in the internal affairs of a colony, especially of the old established colonies. He thought, for instance, that the North American and West Indian colonies should be permitted to elect their own governors, subject to a nominal approval from this country; and then the greater portion of the British troops might be withdrawn, and the colonists left to protect themselves. Some colonies, in their infant state, might at times require military aid from the mother country, as had been the case both at the Cape of Good Hope and in New Zealand; but in both of these instances he believed that the necessity for armed assistance arose entirely from the mismanagement of the Colonial Office. And, without doubt, not one soldier would have been required for the whole of Australasia if no convicts had been sent to New South Wales and Van Diemen's Land. He did not see, supposing the Colonial Office were reformed, and free institutions were freely bestowed upon all the colonies, what necessity there would be for troops in any of the colonies, except the military stations of Gibraltar, Malta, and the like, for which purpose some 20,000 men would be ample. He did not propose, as the noble Lord seemed on a former occasion to suppose, to abandon the colonies. On the contrary, he had always been, and still was, in favour of colonising uninhabited countries. He believed it was the destiny of the Anglo-Saxon race to occupy the greater portion of the untenanted surface of the globe, to spread itself over the two Americas, and to take possession of Australasia, New Zealand, and the other isles of Polynesia, there to constitute thriving States, inhabited by men with wants and feelings similar to our own, carrying on with us a mutually beneficial commerce. Trade, not dominion, should be our object in colonising; for that purpose soldiers were the worst of emigrants; and a small portion of the sums expended on those soldiers would defray the necessary cost of planting many a flourishing community. With regard to the number of troops in Great Britain, he found, on the average of the last ten years, that 29,500 rank and file had been the effective force in this country. This year there would be 38,900, an increase of 9,400. For what purposes were they required? Was it to maintain peace and order at home? But that amount of force was considerably larger than that which had been found sufficient in the worst times; and as he had before observed, of late years the railroads had increased the efficacy of a small body of troops; and in all the large towns there was a well-organised police. But the surest safeguard for peace and order at home was to be found in the affections of the people. And he believed, that the people of England were at present sincerely attached to their institutions, and proud of them. Whilst every Throne in Europe was in danger, and crowned heads were running away in every direction, the Throne of England alone remained unshaken. Why was this? Because the institutions of the country were virtually republican; because democracy had triumphed of late years—because, in fact, no class was now privileged at the expense of another; and, above all, because the corn laws had been swept away. He told the hon. Gentlemen opposite that they should be most thankful—that they should express their deepest gratitude to the right hon. Baronet the Member for Tamworth, that there was no Corn-Law League now in existence—no corn laws to agitate and irritate the masses of the people. But though the institutions of the country were virtually republican, yet if they were wise, prudent, and sagacious men, they would hasten to make them still more so in appearance by a large extension of the suffrage. For he maintained that the working classes of the country had, especially of late, proved themselves worthy of the franchise; and it would be wise to grant them that franchise at once as a boon, instead of waiting till it be extorted by pressure from without; and by so doing they would ensure order and tranquillity far better than by any amount of military force. With regard to Ireland, the effective force was to be this year about 26,000 rank and file, which would be about 8,000 more than was found sufficient on the average of the last ten years. Therefore the whole of the effective force in the United Kingdom this year would be 65,204 rank and file—an increase of about 18,000 men beyond the average of the last ten years, the cost of which increase would be about 700,000*l.* a year. In his judgment, this amount of force was excessive; he could not, however, deny the weight of the argument which had been urged against an immediate and considerable diminution of the military force of the country; and he should not, therefore, be surprised to find himself in a small minority with the hon. Member for Montrose. If this should be the case, as he had heard no valid reasons assigned for an increase of military force beyond that amount which was found to be sufficient last year, he should then propose to the Committee to vote the same number of men as was voted last year. The vote for last year (exclusive of India) was 108,398 men; the vote proposed to be taken for this year by the hon. Gentleman the Secretary at War was 113,847 men—an increase this year of 5,449 men, which occasioned an increase in the gross estimate of the effective forces of the Army to the amount of 174,699*l.* As he considered this increase was wholly unnecessary, he should, after the Motion of the hon. Gentleman the Member for Montrose had been disposed of, take the sense of the Committee on the subject; and he expected that every hon. Member who did not wish to be taunted in future years with having consented to an unnecessary increase of military force would vote for his Motion.

Mr. COBDEN observed, that where so much impatience was evinced on the question whether they should vote 7,100,000*l.* for the Army, in addition to 7,900,000*l.* for the Navy, he could scarcely hope by anything he could say to bring back the feeling of the House to a proper sense of its duty to the country. His hon. Friend proposed to reduce the Navy expenditure one-sixth, and now proposed to reduce that of the Army one-ninth. [An Hon. Member: It is not a question of expenditure, but men.] But the number of men settled the whole question. The Select Committee of Inquiry on the Army, Navy, and Ordnance, began by deciding that they had no right to determine the question as to the number of men; and the question could therefore be only dealt with by the House. The country was now suffering heavily from taxation, and anxiously looking for some remission; but the House by passing these large items would not leave itself any room for retrenchment. They could not touch the interest on the national debt, which was 27,000,000*l.*, nor the unfunded debt, nor the consolidated fund; and if they now consented to this vote, they would have disposed of 49,000,000*l.* of the estimates of the country. When the Miscellaneous Estimates were brought forward, it was possible that some miserable trumpery vote about a messenger's wages would receive a warm opposition; some patriotic Member would perhaps raise his voice against the expense of the buckhounds, or against some claptrap vote of the kind. But it was only right the country should know, that if that House once allowed these large items of the public expenditure to pass, there was no hope for retrenchment. Were hon. Gentlemen opposite prepared for the great discontent which was rising up in the minds of the people in consequence of the present enormous weight of taxation? [*Ironical cheers and laughter.*] He wished that those hon. Gentlemen who jeered and laughed would come to him some morning and read the letters which he received on the subject. He believed that hon. Gentlemen opposite had not a single partisan amongst the working classes, and that they knew little or nothing of the feelings of the middle classes. He wanted to know how the Government were to make up the deficiency of 1,800,000*l.* on last year, and nearly 3,000,000*l.* on this. They were now asked to vote away money before they had got it, and he wanted to know how they were to get it. They were not to have an increased income-tax. Would the Government propose any other tax; and if so what was it to be? Would it be a tax on property? Were they prepared to propose a legacy and probate duty on land? or would they have recourse to the Bank at the risk of another panic? It was lamentable to hear talk of the danger we were in from France, or Russia, or any other country. The danger was in the state of our finances. He repeated what he said when the vote for the Navy was before them—that we should be stronger with a surplus revenue, and fewer ships and soldiers, than with an increased armament and a deficient revenue. Hon. Gentlemen talked of the state of Europe; but the people of Europe were too much engaged with their own business to come and attack us. He would not now attempt any argument on the subject; but would merely ask if hon. Gentlemen opposite were ready to incur the discontent of the people at the present amount of taxation? In their name he protested against the manner in which the question before the Committee had been received, against the perfect recklessness with which the public money was to be voted, and the impatience with which any opposition to it was met. He warned hon. Gentlemen that they would repent of having voted money which they had not got to spend.

LORD J. RUSSELL: Sir, if the Committee showed any impatience during a great part of this discussion, it was, I think, rather referable to the topics which hon. Gentlemen introduced, than to any indisposition of the Committee to hear this question fairly discussed. Hon. Gentlemen have discussed at very great length various questions, going through all the details of the Army Estimates, touching upon various points of finance, discoursing much of the Navy Estimates, the constitution of the Ordnance Board, and various other topics, which might have been all conceded for anything this debate was concerned, and yet the question of the number of men to be voted for the Army would be entirely untouched. Is it a reproach to this Committee that it did not listen with very great patience to all those details, seeing that no argument upon them would assist the House in coming to a conclusion as to the question now before us? I am quite ready to admit to the hon. Member for the West Riding of Yorkshire that this vote and others of a similar nature are the votes which are to determine the general amount of the expenditure of the present year. I quite admit that votes with respect to small salaries, although they may show a disposition in this House to economy and retrenchment, will not much affect the amount of expenditure under other heads in the present year; and that the question we have before us, together with the votes for the Navy and Ordnance, does in a great measure constitute the bulk of the expenditure on which this House has to decide. Well, then, Sir, the question is, whether or no we are justified in making, or whether the House will sanction the addition to the number of men to the Army which we propose? Let me observe, without discussing the figures with the hon. Gentleman the Member for Southwark, that he has been completely mistaken in placing to the account of the present year the very large increase in the military and naval expenditure. Taking the number which I have just admitted is great, as the test of the amount of expenditure, the number of men added since we have been in office is 3,000 marines, and to the ordnance and artillery 3,200. Now, that amount is not so large as to justify anything like the very great increase which the hon. Member for Southwark has pointed out. He says that we are now proposing an increase of 5,000 men to the Army. But the fact is, the general amount of the Army remains the same. We make no addition to the general amount. It so happens that men who are employed in India are expected at home during the present year; and the difference will be, that these men, instead of being in India, will in England. Well, Sir, is it desirable, or is it not, which is the question before us, to reduce the Army by 13,000 men, as proposed by the hon. Member for Montrose; or by the number proposed by the hon. Member for Southwark? What are the services for which the men are required? With respect to India, with its 12,000 miles of frontier, it has been admitted by the hon. Member for Montrose, and I think by the hon. Member for Southwark, that 22,000 men are not too great a force to defend so large an empire. Proceeding onwards, I find in Australia there is a general demand for forces, and we receive continual requisitions for larger and not diminished forces. In the Mauritius we require some force. Malta and Gibraltar cannot be left without a proper garrison. The force in the West Indies has been reduced, I believe, beyond what it was at any former time; and the force in Canada and the North American colonies is rather below the usual amount. There is, therefore, with regard to our colonies, and with respect to the means of keeping up regular reinforcements to supply the rule by which our troops are only kept ten years abroad and five years at home—with regard to that general rule, and with regard to your garrisons in the colonies, a sufficient ground for the estimates we now propose. But, Sir, it is said—really as if my right hon. Friend to-night based the necessity for this force on the ground of defending our institutions by military power—it is said the best reliance we can have for our defences is in the love and affection of the people. I do not deny any such maxim, but I am most ready to admit it; for we should indeed be in a desperate case if we had to rely upon the force we have in this country in order to defend the Throne and the institutions of the country. No, Sir, I quite admit, as much with respect to Queen Victoria as with respect to Queen Elizabeth, that the best guardian of the Sovereign must be in the affections of the people. But, Sir, I beg the House to recollect that we are not living in times in which every man in a country like this thinks fit to learn military exercises, and become a soldier for the purpose of guarding his own property. The state of society is such that a great portion of the people, especially those whom the hon. Member for the West Riding represents, having been entirely engaged in the occupations of industry and in commerce, and of pursuits of the most pacific kind, find themselves, in the case of the smallest disturbance, in want of protection; and immediately look to the military for that protection and security. During the time that I was in the Home Office I did not require to apply for military force for the purpose of defending the institutions and the Government of the country; but I was repeatedly applied to by manufacturers and by merchants in Lancashire and Yorkshire, on account of the military forces not being sufficient. They said, "Give us a greater amount of troops; we can't be safe where we are;" and more than once I was told by most respectable men, that they would take their wives and families to live in some other part of the country, unless greater military protection were given them. Why, this is not protecting the Throne and the institutions of the country. But the fact is, while there were all these alarms, and all this disquietude, in many cases towns of twenty, thirty, forty, and fifty thousand inhabitants, were thrown into disquiet by five or six hundred boys, between fifteen or twenty years of age, who went about with torches and with various other modes of annoyance, and they put a whole town of that population into commotion and disturbance. It is to defend the civilised, peaceable, and social condition of England —to defend the great majority, and to save them from the expense and trouble and disquietude of arming themselves to protect their own homes. It is for that purpose that we require a home force in this country. I trust, therefore, that Gentlemen will not think it necessary to repeat any more of those common-places about the affections of the people. We do not propose any additional force to keep up the honour of the country. But, Sir, I should have thought, while I say as I have said, that we do not propose any increase in the military force of the country—I should have thought that the consideration of foreign affairs would have been such as to induce almost every Member of this House to concede that we should not choose this particular year to make any reduction in our forces. It does seem to me, while there is nothing which should induce us to add anything to the estimates that we proposed at the commencement of the year, before those troubles broke out which have now spread over all the continent of Europe—while there is nothing to induce us to do that—it would not be wise or prudent to make a sudden diminution in our forces. No man can, I think, really look at that situation of affairs, and confidently say there will be no danger spring out of it—that he is quite sure, whatever change the affairs of foreign countries may take, the relations which may exist between this and foreign countries will remain the same for some tima to come. At the same time I am happy to say—speaking at this moment—that there is nothing to call upon England in any way to interfere, even by way of formal remonstrance, against any proceeding that has taken place. There is nothing in the present state of affairs which has affected our position, or indeed obliged us to make any protest or remonstrance whatever. I pass, therefore, from the consideration of these concerns. The hon. Gentleman the Member for the West Riding invites us to another consideration, and says, "Have you taken a view of the finances—will you be able to bear this pressure on the finances?" Sir, I think that was a question that was argued well when we had under consideration the duration of the income-tax. It was one ground in proposing an income-tax for three years, that we did think, although there might be a deficiency in the financial year ending in April, 1849, that the income-tax should be granted for three years, as it might be very possible, on the one hand, that there might be an increase of revenue; and, on the other, a diminution of expenditure in future years, so as in future years we might make the income balance and exceed the expenditure. If in the next year it should appear that it is impossible to diminish any part of the expenditure, then we shall have time to consider in what way the deficit may be filled up, and what kind of taxes or burdens may be necessary to propose to the country. In that consideration we should include all those taxes to which the hon. Gentleman has alluded, such as the legacy duties; but I do not think, in the present state of affairs, it is necessary to look to these points now. But I would repeat now what I have said on a former occasion, that, looking to the distress which prevails in many parts of the country—looking to the pressure of taxation with regard to different parts of the country—I think it is the duty of the Government to consider before the next year whether there are any of those taxes which press unduly, and whether our means will enable us to apportionate those taxes more equitably than at present. I can only say that I feel very deeply the condition of distress and embarrassment which, I am afraid, in many of our richest and lately flourishing commercial towns has prevailed, owing, I think, to the scarcity of food and other visitations, for which no Government can be answerable. I feel deeply the situation of many of those parties. I should be most happy, therefore, if in the present times we could propose a great reduction of the Army, Navy, and Ordnance, so as to enable us to lighten the pressure of taxation. I think, however, under present circumstances, whatever measures the hon. Member for the West Riding should propose—whatever remonstrance may be made—I think that I should not promote the permanent and general interest of the country if I yielded to the complaints of those who hereafter would reproach us for yielding—if I proposed now to diminish the estimates for our forces—and if I did not ask this Committee to agree with us in the proposal for the military force for which we now ask you, feeling convinced that that force is necessary for the purpose and essential to the safety of the State.

SIR DE L. EVANS had heard with much satisfaction the declaration made by the noble Lord at the head of Her Majesty's Government, that it was their intention to consider, before the next Session of Parliament, the means of equalising the taxation of the country. That, in his opinion, was the great question to which the attention of the people of this country was now directed. The hon. Member for the West Riding had said that this was a vote for 7,100,000*l.* Now this was a specimen of the *ad captandum* exaggerations in which the hon. Member had indulged for some months back with respect to the Army and Navy. The vote was for 3,800,000*l.*, and the estimate was essentially the same as last year. He contended that the regular force in this country only amounted to 22,000 men, cavalry and infantry. Though the army of America was smaller than our own, her territory was more concentrated, for the colonial empire of England extended to all parts of the world, and America had a militia of 1,800,000 men. He must say that the Executive Government was placed in a position of much difficulty, as it was told to reduce the regular force to the minimum, while no popular force of any kind was to be permitted. But, again, it was said that free trade would supersede the necessity of retaining a large military force; but it was somewhat singular that those who advocated that principle so warmly appeared now to have wholly forgotten it. The hon. Gentleman the Member for the West Riding of Yorkshire had entirely abandoned his vocation, and had become the advocate of retrenchments and reductions of all sorts. After having achieved well-merited triumphs in every capital in Europe, he returned home, but uttered not a single word on the great principle of free trade. The hon. Gentleman told the House on the 19th of February that in France, and throughout Europe, there was no feeling but a desire for free trade; but in one month afterwards France and all Europe appeared to be thinking of something widely different. The hon. Gentleman seemed to think that free trade was all settled; but a duty of 1,000 per cent was still retained upon some articles of importation; and as to saying that free trade had made any progress, save in this country, it was idle to maintain it. He did not know when it was that the hon. Gentleman became a military character; whether it was at Malta or at St. Petersburgh; but it was clear that the hon. Member had come back a thorough master of this very difficult subject, and now he was determined to effect a complete reform in our establishments. Nay, he had heard, that within the last week circulars had been distributed convening a public meeting to dismiss Her Majesty's Ministers, and call on the hon. Member himself to form a Government. In such a case, of course, the opinions of the hon. Member were of vast importance, and that was the reason why he had trespassed thus long on the House. This much was clear, that Gentlemen who were not connected with either service had set themselves up to reform both—had declared they knew better what was wanted for the defence of the country than those to whom that defence was entrusted—and, above all, that they knew better what was wanted for the military defence than the illustrious Chief who was at the head of the army. The noble Lord at the head of the Government, seeing that the hon. Member for the West Riding had a great number of supporters, had, no doubt, acted very judiciously in appointing a Committee at their request—a Committee which, it seemed, was to decide on what was necessary for the military and naval defence of the country. All he could say was, that he, for one, felt very much obliged to the noble Lord for not having nominated any Members of either service on that Committee. He should wait for the result of that Committee before making any observations in detail on the subject; but, in the meantime, he would observe that in the naval branch of the service, as to which the right hon. Baronet the Member for Ripon had said, that there might be some jealousy of the force of France, though not with regard to the relative strength of the armies of the two countries—that the Navy estimate for England showed a force of 43,000 men, while that of France showed 52,000, being a majority of 9,000 men.

Mr. BRIGHT could not, in the few observations he intended to offer, attempt to enter into particulars with respect to military affairs, nor would he think of putting his decision on such matters against that of the hon. and gallant Member for Westminster. That hon. and gallant Gentleman ought to be as good an authority on military affairs as any in that House; for so fond was he of warfare, that he was prepared to do battle, not only for his own Queen, but even for the queen of another country. On the present occasion, however, they were confining themselves to the interests of their own particular country; and, circumstanced as the hon. and gallant Member was, it would be anything but judicious for the people of England to take his opinion with regard to military policy, as limited merely to this country. The hon. and gallant Gentleman's speech could not be regarded as the happiest or the most fortunate that he had delivered in that House, notwithstanding that he had succeeded in obtaining the warmest manifestations of applause from that section of the House whose favour he had been but little in the habit of courting. He would leave the hon. and gallant Member to square his accounts with his constituents of Westminster; but he would venture to assure the hon. Member and the House, that where there was one man in Westminster who sympathised with the speech of the gallant Officer, there were at least ten who approved of the spirit of the remarks that had fallen from the hon. Member for the West Riding of Yorkshire. The noble Lord at the head of the Government had not been very much more fortunate in his observations; for during the whole of his address every cheer that had marked his progress had emanated from the very party in that House against whom he had been contending almost ever since he had had a seat in Parliament. He had taunted the manufacturers of the north of England with going to the Home Office to ask for troops. It might be true that they done so; but such conduct on their part had nothing whatever to do with the question then under discussion. The noble Lord was perfectly well aware the military were only required in the north of England at periods when corn was at precisely that price that accorded with the views of the hon. Members opposite. So notorious was this the fact, that it had become a proverb in Lancashire with which every working man in that country was familiar, that the red coats came when bread was dear. From the return which had been laid upon the table of that House, showing the distribution of the troops, it appeared that the force in Great Britain was about 39,000, and that the number of soldiers stationed in Ireland was no less than 26,000. Now, that latter fact was one to which he thought it of importance to invite the attention of the House. It was right, however, in the first place to observe, that in addition to that great force, 1,000 men or more had been recently drafted into Ireland. There were, moreover, in that country 12,000 police, who constituted, to all intents and purposes, a military force. So that, in point of fact, there was in that part of the empire a military force of not less than 40,000. When, therefore, that question of voting men and money came before the House, they were bound to take into their consideration the circumstances which created a necessity, or from which, at all events, the necessity was assumed, of maintaining so large a body of fighting men. Before he had the honour of a seat in that House, the noble Lord at the head of the Government professed himself the ardent and enthusiastic friend of Ireland. He used to denounce mercilessly those who misruled that country, and not hesitate to predict the evils which were to follow in the event of his counsels not being adopted with regard to Irish policy. There was not a man in that House who had ever witnessed anything in party warfare equal to that—he would call it—ferocious warfare, which took place in that House some few years ago with regard to the introduction of measures for the improvement and conciliation of Ireland. Let them look to her political situation at the present moment. She had next to no constituency. True, she sent 105 representatives to that House; but she suffered under inequalities and wrongs with respect to her political institutions, which could not be denied, and which had been admitted to a greater or less degree on all sides of that House. She had, moreover, a Church Establishment, which, were it not that there was a Church Establishment in England as well, would not last in Ireland for a single Session. In one word, there was to be found in Ireland a condition of things so monstrous, so incredibly vile, that in some years to come their children or their grandchildren would find it difficult to believe how their forefathers could have tolerated it for one hour without having at least made an effort to remedy it. Last year more of their fellow-subjects died in Ireland of positive starvation—yes, literally perished of famine and pestilence in their hovels, in the workhouses, or by the side of the high roads—than England ever lost of her people in any war, ancient or modern, in which she had ever been engaged. Had the Government now in office done anything for Ireland, or was it their intention to do anything for Ireland? If that House was to be asked to vote millions of money to maintain a standing army of forty thousand fighting men in Ireland, was it not right that before they committed themselves to the act, they should obtain more information as to whether it was the intention of the noble Lord at the head of the Cabinet that anything should be done to remedy the intolerable and disgraceful state of things which existed in that wronged and ill-governed land? It was all very well to talk about "this great empire;" but, for his own part, he could not help thinking that unless the colonies and dependencies which were united to England were inhabited by a free, happy, contented, and prosperous population, it would be infinitely better for the English Crown and the English people to abandon the thought of dependencies altogether, and to be content with this tight little island of their own. The fact could not be denied that there existed out of doors a degree of discontent and dissatisfaction, which proved that the Government of the noble Lord, if wise and fair, was, at all events, most unsuccessful. Without disregarding that particular class of the community for whose welfare the noble Lord appeared to be especially solicitous — the aristocratic and privileged class—he would take leave to say that there was a strong feeling, both in the cities and in the provinces, that it was full time that there should be exhibited in that House a feeling of more sincere sympathy for the industry of the country, and that greater regard should be shown for that economy which was absolutely necessary, in order to the contentment of the people. They might rest assured that sixty millions of taxation was an amount which could not be levied for any length of time from the people of this country without creating a deep and general feeling of dissatisfaction. To economy and retrenchment the Government would have at length to come, when the money they demanded would be denied; for the day would inevitably arrive when every effort to raise so large an amount of taxation as that which was at present levied would be wholly and entirely unavailing.

MR. NEWDEGATE rose to refute the statements made by the hon. Members for Manchester and the West Riding, when they said that hon. Members on his side had not brought the distressed state of the people before the House. At the end of the last Session he and his hon. Colleague had felt it their duty to urge on the House the state of distress existing among the operatives of the midland counties; and only so late as last Wednesday the hon. Member for Leicestershire had done the same thing. When the hon. Member for the West Riding said that they knew nothing of the feelings of the middle classes, he begged to reply that, representing mixed constituencies as they did, they did well know those feelings; which were feelings of deep and bitter disappointment at the result of those measures which were passed at the instance of those hon. Members. He would tell the hon. Members, also, that should unhappily circumstances arise which would necessitate the interference of the State, it would not be the agriculturists who would need defence, but that, as before, it would be the manufacturers and the inhabitants of large towns who would demand the assistance of that Army which these hon. Members now proposed to reduce to a less force than the country required. Then, again, would be seen the spectacle of the yeomanry of England being called on to preserve order and property in the manufacturing towns and districts.

MR. HUME, in reply, observed that on those benches opposite, which were now so crowded, there had not been six Members when he addressed the House. As to the gallant Member for Westminster, if he knew more of war, he would at least beat the hon. Member at figures. So far from the force required for Great Britain and Ireland being only 22,000 men, the actual number was 77,297, besides the pensioners, the yeomanry, and the dockyard men. These, with the Irish police and the coastguard, made a grand total of 123,000 men, all in arms, or ready to be in arms. And yet this was in the face of the admission that we must look to the future for money to pay them. How the gallant Member for Westminster would explain his speech to his constituents, he could not conceive.

SIR DE L. EVANS, in explanation, said he was extremely glad to hear that the noble Lord (Lord J. Russell) intended to revise the whole system of taxation. With respect to what the hon. Member for Montrose said, he must observe that the whole available force at present in Great Britain was only 22,000 men; and he believed that number to be totally inadequate to the defence of the country.

The Committee divided on the question that 100,000 men be substituted for 113,000:—Ayes 39; Noes 293: Majority 254.

List of the AYES.

Aglionby, H. A.
Alcock, T.
Berkeley, hon. G. F.
Blewitt, R. J.
Bowring, Dr.
Bright, J.
Brotherton, J.
Brown, H.
Clay, J.
Crawford, W. S.
Duncan, G.
Ewart, W.
Fagan, W.
Gardner, R.
Greene, J.
Hall, Sir B.
Hastie, A.
Henry, A.
Humphery, Ald.
Kershaw, J.
M'Gregor, J.
Meagher, T.
Molesworth, Sir W.
Mowatt, F.
Pechell, Capt.
Pilkington, J.
Raphael, A.
Scholefield, W.
Scully, F.
Smith, J. B.
Strickland, Sir G.
Stuart, Lord D.
Sullivan, M.
Tancred, H. W.
Thompson, Col.
Thompson, G.
Wakley, T.
Walmsley, Sir J.
Williams, J.

TELLERS.

Hume, J.
Cobden, R.

List of the NOES.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Adare, Visct.
Adderley, C. B.
Alexander, N.
Anson, hon. Col.
Anson, Visct.
Anstey, T. C.
Archdall, Capt. M.
Arkwright, G.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagge, W.
Bailey, J.
Bailey, J. jun.
Baldwin, C. B.
Barkly, H.
Baring, rt. hon. F. T.
Baring, hon. W. B.
Barnard, E. G.
Bateson, T.
Bellew, R. M.
Bennet, P.
Beresford, W.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Birch, Sir T. B.
Blackall, S. W.
Blandford, Marq. of
Boldero, H. G.
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Brockman, E. D.
Browne, R. D.
Bruce, C. L. C.
Buck, L. W.
Buller, C.
Bunbury, E. H.
Burghley, Lord
Busfeild, W.
Cabbell, B. B.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Castlereagh, Visct.
Cavendish, hon. G. H.
Cayley, E. S.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Cholmeley, Sir M.
Christy, S.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clive, H. B.
Cocks, T. S.
Codrington, Sir W.
Coke, hon. E. K
Colebrooke, Sir T. E.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Corry, rt. hon. H. L.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Cubitt, W.
Currie, R.
Davies, D. A. S.
Dawson, hon. T. V.
Deedes, W.
Denison, W. J.
Denison, J. E.
Disraeli, B.
Dod, J. W.
Dodd, G.
Douglas, Sir C. E.
Douro, Marq. of
Drummond, H.
Duckworth, Sir J. T. B.
Duff, G. S.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Ebrington, Visct.
Egerton, W. T.
Ellice, rt. hon. E.
Ellice, E.
Elliot, hon. J. E.
Emlyn, Visct.
Evans, Sir De L.
Evans, W.
Fergus, J.
Ferguson, Col.
Ferguson, Sir R. A.
Floyer, J.
Forbes, W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, S. W. L.
Freestun, Col.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Glyn, G. C.
Goddard, A. L.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grogan, E.
Grosvenor, Lord R.
Guest, Sir J.
Gwyn, H.
Haggitt, F. R.
Hallyburton, Lord J. F.
Hamilton, G. A.
Hamilton, Lord C.
Hardcastle, J. A.
Harris, hon. Capt.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcote, Sir W.
Henley, J. W.
Hervey, Lord A.
Heywood, J.
Hildyard, R. C.
Hobhouse, T. B.
Hodges, T. L.
Hodges, T. T.
Hollond, R.

Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hotham, Lord
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Hutt, W.
Inglis, Sir R. H.
Jervis, Sir J.
Jocelyn, Visct.
Jones, Sir W.
Keogh, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsey, hon. Col.
Littleton, hon. E. R.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Lushington, C.
Mackenzie, W. F.
Macnamara, Maj.
M'Cullagh, W. T.
M'Naghten, Sir E.
M'Neill, D.
M'Taggart, Sir J.
Magan, W. H.
Mahon, The O'Gorman
March, Earl of
Marshall, W.
Matheson, A.
Matheson, J.
Matheson, Col.
Maule, rt. hon. F.
Maunsell, T. P.
Melgund, Visct.
Meux, Sir H.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Morison, Gen.
Morris, D.
Mulgrave, Earl of
Mure, Col.
Napier, J.
Newdegate, C. N.
Newry & Morne, Visct.
Norreys, Lord
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, Sir L.
Ogle, S. C. H.
Paget, Lord A.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir. R.
Pennant, hon. Col.
Perfect, R.
Pigott, F.
Pinney, W.
Plumptre, J. P.
Plowden, W. H. C.
Power, N.
Price, Sir R.
Prime, R.
Pugh, D.
Pusey, P.
Rawdon, Col.
Renton, J. C.
Reynolds, J.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Seymer, H. K.
Seymour, Sir H.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Sibthorp, Col.
Simeon, J.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smyth, J. G.
Smollett, A.
Somerville, rt.hn.SirW.
Spearman, H. J.
Spooner, R.
Stafford, A.
Stanley, hon. E. J.
Stansfield, W. R. C.
Stuart, J.
Sturt, H. G.
Sutton, J. H. M.
Talbot, C. R. M.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Ald.
Townley, R. G.
Townshend, Capt.
Trelawny, J. S.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Vivian, J. H.
Vyse, R. H. R. H.
Waddington, H. S.
Wall, C. B.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col.
Wawn, J. T.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Wilson, J.
Wilson, M.
Wood, rt hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wyld, J.
Wyvill, M.
Yorke, H. G. R.

TELLERS.
Tufnell, H.
Hill, Lord M.

SIR WILLIAM MOLESWORTH moved that the vote be reduced by 5,449 men, the number expected to arrive from India within the year.

The Committee again divided on Sir William Molesworth's Motion:—Ayes 45; Noes 246: Majority 201.

List of the AYES.

Aglionby, H. A.
Alcock, T.
Berkeley, hon. G. F.
Blewitt, R. J.
Bowring, Dr.
Brotherton, J.
Clay, J.
Cobden, R.
Crawford, W. S.
Duncan, G.
Ewart, W.
Fagan, W.
Gardner, R.
Greene, J.
Hall, Sir B.
Hastie, A.
Henry, A.
Hume, J.
Kershaw, J.
M'Gregor, J.
Meagher, T.
Mitchell, T. A.
Moffatt, G.
Mowatt, F.
Osborne, R.
Pearson, C.
Pechell, Capt.
Pigott, F.
Pilkington, J.
Raphael, A.
Reynolds, J.
Scholefield, W.
Scully, F.
Smith, J. B.
Stuart, Lord D.
Sullivan, M.
Tancred, H. W.
Thompson, Col.
Thompson, G.
Trelawny, J. S.
Wakley, T.
Walmsley, Sir J.
Williams, J.
Willoughby, Sir H.
Wood, W. P.

TELLERS.
Molesworth, Sir W.
Bright, J.

List of the NOES.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Adderley, C. B.
Alexander, N.
Anson, hon. Col.
Anson, Visct.
Anstey, T. C.
Archdall, Capt.
Arkwright, G.
Arundel and Surrey, Earl of
Bagge, W.
Bailey, J., jun.
Baldwin, C. B.
Barkly, H.
Baring, rt. hon. F. T.
Baring, hon. W. B.
Bateson, T.
Bennet, P.
Beresford, W.
Berkeley, hon. Capt.
Birch, Sir T. B.
Blackall, S. W.
Boldero, H. G.
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Brockman, E. D.
Bruce, C. L. C.
Buller, C.
Bunbury, E. H.
Burghley, Lord
Cabbell, B. B.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Cavendish, hon. G. H.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Cholmeley, Sir M.
Christy, S.
Clerk, rt. hon. Sir G.
Clive, H. B.
Cocks, T. S.
Codrington, Sir W.
Coke, hon. E. K.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Corry, rt. hon. H. L.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Davies, D. A. S.
Dawson, hon. T. V.
Deedes, W.
Denison, W. J.
Denison, J. E.
Dod, J. W.
Dodd, G.
Douglas, Sir C. E.
Douro, Marq. of

Duckworth, Sir J. T. B.
Duff, G. S.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Ebrington, Visct.
Egerton, W. T.
Ellice, E.
Elliot, hon. J. E.
Evans, W.
Ferguson, Col.
Ferguson, Sir R. A.
Floyer, J.
Forbes, W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Glyn, G. C.
Goddard, A. L.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grogan, E.
Grosvenor, Lord R.
Gwyn, H.
Haggitt, F. R.
Hallyburton, Lord J. F.
Hamilton, G. A.
Hamilton, Lord C.
Hardcastle, J. A.
Harris, hon. Capt.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcote, Sir W.
Henley, J. W.
Hervey, Lord A.
Heywood, J.
Hildyard, R. C.
Hobhouse, T. B.
Hodges, T. L.
Hodges, T. T.
Hollond, R.
Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hotham, Lord
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Hutt, W.
Inglis, Sir R. H.
Jervis, Sir J.
Jones, Sir W.
Keogh, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Lushington, C.
Mackenzie, W. F.
Macnamara, Maj.
M'Cullagh, W. T.
M'Naghten, Sir E.
M'Neill, D.
M'Taggart, Sir J.
Magan, W. H.
Mahon, The O'Gorman
March, Earl of
Marshall, W.
Matheson, A.
Matheson, J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Meux, Sir H.
Monsell, W.
Morpeth, Visct.
Morison, Gen.
Morris, D.
Mulgrave, Earl of
Napier, J.
Newdegate, C. N.
Newry & Morne, Visct.
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, Sir L.
Ogle, S. C. H.
Paget, Lord A.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Pennant, hon. Col.
Plumptre, J. P.
Plowden, W. H. C.
Power, N.
Price Sir R.
Prime, R.
Pugh, D.
Pusey, P.
Rawdon, Col.
Ricardo, O.
Rice, E. R.
Rich, H.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Seymer, H. K.
Seymour, Sir H.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Sibthorp, Col.
Simeon, J.
Smith, J. A.
Smith, M. T.
Smyth, J. G.
Smollett, A.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Spooner, R.
Stafford, A.
Stanley, hon. E. J.
Stansfield, W. R. C.
Sturt, H. G.
Talbot, C. R. M.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Townley, R. G.
Townshend, Capt.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Vivian, J. H.
Vyse, R. H. R. H.
Waddington, H. S.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col.
Wawn, J. T.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wortley, rt. hon. J. S.
Wyvill, M.
Yorke, H. G. R.

TELLERS.
Tufnell, H.
Hill, Lord M.

Original proposition agreed to.

House resumed.

Committee to sit again.

ELECTION RECOGNISANCES BILL.

On the further consideration of the report of the Election Recognisances Bill,

The ATTORNEY GENERAL declared that the most evil consequences would result if the Bill were allowed to pass, and moved that the report be taken into consideration that day six months.

Sir R. H. INGLIS thought the House ought not to afford any facility for the passing of a measure of this description.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes 92; Noes 73: Majority 19.

List of the AYES.

Adderley, C. B.
Alexander, N.
Anson, Visct.
Anstey, T. C.
Bagge, W.
Bailey, J., jun.
Barkly, H.
Bennet, P.
Beresford, W.
Berkeley, hon. G. F.
Boldero, H. G.
Bolling, W.
Brackley, Visct.
Bright, J.
Brockman, E. D.
Burghley, Lord
Chichester, Lord J. L.
Christy, S.
Clay, J.
Cobden, R.
Cocks, T. S.
Codrington, Sir W.
Colvile, C. R.
Cripps, W.
Davies, D. A. S.
Dod, J. W.
Dundas, G.
Ellice, E.
Fagan, W.
Floyer, J.
Forbes, W.
Fox, R. M.
Fuller, A. E.
Gardner, R.
Grace, O. D. J.
Greene, J.
Grey, R. W.
Grogan, E.
Hamilton, G. A.
Hervey, Lord A.
Hildyard, R. C.
Hope, Sir J.
Hudson, G.
Jones, Sir W.
Kershaw, J.
Lindsay, hon. Col.
Littleton, hon. E. R.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Magan, W. H.
Mahon, The O'Gorman
March, Earl of
Meux, Sir H.
Newdegate, C. N.
Newry and Morne, Visct.
Nugent, Sir P.
O'Brien, Sir L.
Paget, Lord A.
Pearson, C.

Pilkington, J.
Plumptre, J. P.
Raphael, A.
Reynolds, J.
Sandars, G.
Scholefield, W.
Scully, F.
Sheil, rt. hon. R. L.
Sibthorp, Col.
Simeon, J.
Smith, J. B.
Smyth, J. G.
Smollett, A.
Somerville, rt. hon. Sir W.
Spooner, R.
Stafford, A.
Sturt, H. G.
Sullivan, M.
Talbot, C. R. M.
Thompson, Col.
Turner, G. J.
Vyse, R. H. R. H.
Waddington, H. S.
Wakley, T.
Walmsley, Sir J.
Walsh, Sir J. B.
Watkins, Col.
Westhead, J. P.
Williams, J.
Willoughby, Sir H.

TELLERS.

Mackenzie, W. F.
Wortley, rt. hon. J. S.

List of the Noes.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Aglionby, H. A.
Bellew, R. M.
Bernal, R.
Bowring, Dr.
Brotherton, J.
Buller, C.
Cabbell, B. B.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Charteris, hon. F.
Clerk, rt. hon. Sir G.
Coles, H. B.
Craig, W. G.
Dodd, G.
Douglas, Sir C. E.
Duckworth, Sir J. T. B.
Duncuft, J.
Ebrington, Visct.
Elliot, hon. J. E.
Fordyce, A. D.
Gaskell, J. M.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Hallyburton, Lord J. F.
Hastie, A.
Hawes, B.
Hayter, W. G.
Heathcote, Sir W.
Henley, J. W.
Hobhouse, T. B.
Hood, Sir A.
Inglis, Sir R. H.
Jervis, Sir J.
Lewis, G. C.
Lincoln, Earl of
M'Cullagh, W. T.
M'Taggart, Sir J.
Morpeth, Visct.
Morris, D.
Mulgrave, Earl of
Norreys, Sir D. J.
Ogle, S. C. H.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Pigott, F.
Price, Sir R.
Rawdon, Col.
Ricardo, O.
Rice, E. R.
Rutherfurd, A.
Seymour, H. K.
Seymour, Lord
Shafto, R. D.
Sheridan, R. B.
Smith, M. T.
Stansfield, W. R. C.
Stuart, Lord D.
Thicknesse, R. A.
Townshend, Capt.
Wawn, J. T.
Wood, W. P.
Wyld, J.
Wyvill, M.
Yorke, H. G. R.

TELLERS.

Hall, Sir B.
Hill, Lord M.

Report considered. Bill to be read a third time.

House adjourned a quarter before Two o'clock.

HOUSE OF LORDS,

Monday, April 3, 1848.

Minutes.] Public Bills.—1ª Property Tax.—Stamp Duties Assimilation.

3º and passed; Borough Police Superannuation Fund.

Petitions Presented. From Brailsford, for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From Falmouth and Plymouth, for Exemption of Charitable Bequests from Legacy Duties.—From Members of several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From Hartlepool, for a Select Committee to Inquire into the Policy of a Continuance of the Navigation Laws.

AFFAIRS OF ITALY.

The Earl of ABERDEEN: I am desirous of putting a question to the noble Marquess opposite with respect to an important event that has recently taken place in the north of Italy; and as I have given him notice of the terms of that question, I shall now proceed, with your Lordships' permission, to put it. Your Lordships will recollect that some weeks ago the noble Marquess laid on the table of the House, although without any explanation, or without any Motion having been made on the subject, a correspondence that had taken place with the Austrian Government relating to the possibility of their interference in the affairs of Italy. It was not very apparent with what precise object that communication was made to the House, but, at all events, the correspondence concluded with a declaration that any aggression upon the territories or rights of the King of Sardinia could not be viewed by the Government of Great Britain with indifference. Your Lordships are aware that, in diplomatic language, this expression, "would not be viewed with indifference," may mean a great deal, or it may mean very little; but, at all events, the expression is a species of protest that enables the party making use of it to act hereafter according to what may appear to be most expedient, and just, and proper. Whether a similar declaration was made at the same time to the Court of Sardinia, *mutatis mutandis*, I do not know; but certainly that ought to have been the case. It appeared to me at the time, that this declaration made to the Austrian Government was altogether gratuitous, and that there need have been no apprehension of any aggression on the part of Austria. The policy of Austria in Italy may have been good or bad, but certainly it was not aggressive: there was every reason, on the contrary, to suppose and apprehend that the aggression would proceed from the other side. The state of Italy rendered this probable; and this probability was increased, and must have been increased, in the mind of every man who recollected the ancient and constant policy of the House of Savoy. It was the maxim of one of the princes of that House — a maxim which his descendants had ever kept in view—that Lombardy ought to be considered as an artichoke, to be eaten leaf by leaf; but King Charles Albert seems to fancy that he has so good an appetite that he ought at once to devour the whole plant. But be this as it may, it is to be observed, that amidst all the convulsions which we have witnessed around us — convulsions most unexampled and portentous—the King of Sardinia is the first Power who has directly controverted the public law of Europe. He has thought right to command his troops to enter the territory of a neighbouring, friendly, and allied Power, without the slightest pretext of a grievance, without any provocation, and without any complaint or reason assigned whatever, and also in direct violation of engagements by which he as well as this country was solemnly bound. I think, my Lords, that this violation of the public law should not pass altogether unnoticed by those who desire to preserve the peace of Europe. I do not wish, however, to be misunderstood. I have nothing to say to the endeavours of the people of Lombardy to shake off the power and dominion of Austria. That is their own affair. If they succeed in this endeavour, I only hope that they may find themselves as happy and as prosperous as they will be more free, than under the Government of Austria. But your Lordships are not to suppose that this endeavour is made against an usurping Power, or that the Austrian Government is to be held as a Government of usurpation. Lombardy has been under the dominion of the family of Austria for three centuries; and since the Peace of Utrecht has been positively assured to the Emperor and his family by all Europe; therefore these are not dominions which the King of Sardinia, who himself received great accessions to his territory only the other day, can consider as having been usurped by the House of Austria, and can propose to add to his own dominions without a violation of treaties. Be that, however, as it may, I have no opinion to give as to the efforts now making by the people of Lombardy. I have only good wishes to offer as to the result of any assertion of their rights which they may make: it is the violation of treaties and of public law on which alone I wish to speak; and the question I now wish to put to the noble Marquess is, whether, considering what took place with the Austrian Government on this subject, Her Majesty's Government have at any time expressed to the Government of Sardinia that any aggression of this description, in violation of those engagements by which the King of Sardinia as well as this country is bound, would not be viewed by Great Britain with indifference?

The MARQUESS of LANSDOWNE: My Lords, I have no wish to deny the importance of the events to which the noble Earl has just alluded; and I can have no hesitation in answering his question, as put in the terms in which he announced it to me within these few hours. At the same time, I am convinced the noble Earl will excuse me for not following him into any general observations on this subject—observations which it may be more or less wise, or more or less prudent, in reference to the general relations of this country, to abstain from. The subject on which the noble Earl intimated that he would put a question to me was "respecting the course pursued by the British Government in consequence of the entrance into Lombardy of the Piedmontese troops." These were the words of my noble Friend. I am not prepared to state at this moment any particular course that it is the intention of this country or of Her Majesty's Government to adopt in reference to this matter. I can, however, state, and I am glad to have an opportunity of doing so, that although it is quite impossible that Government could have received any application from Austria on this subject subsequent to the entrance of the Piedmontese troops into Lombardy, and although the noble Earl well knows that this country is not bound by any treaty to assist the Austrian Power in the defence of Lombardy if attacked; yet, unbound by any such engagement, Her Majesty's Government did think it right to instruct their Minister to express their hope and confidence that in the present alarming and agitated state of all the countries in that part of the world, His Majesty the King of Sardinia might deem it advisable to preserve a perfect neutrality. That was the advice of Her Majesty's Ministers. It was given again and again; and it is not for me to say how far that advice may have had an influence in retarding the transactions that have occurred, and which, in point of fact, only took place when it appeared highly improbable that the Austrian Government would be able to maintain itself in Lombardy. There cannot, however, be a doubt that in the present state of the Milanese, the King of Sardinia has thought himself justified in entering that part of Europe. That is the fact as it stands now. I am not at all prepared to say whether, in the event of Austria not being able to maintain her hold of her possessions in Lombardy, it would be expedient, or for the general advantage of Europe, that the King of Sardinia should make himself master of that country; but I can confidently say that the movement has been made, not only without the concurrence, but against the advice, of the British Government, and in the face of instructions sent to our representative from this country; which instructions were submitted to the Minister of Austria at this Court, who expressed himself perfectly satisfied with their contents.

Lord STANLEY was deeply impressed with the propriety of referring as little as possible at the present time, either in that or the other House of Parliament, to what was passing in other countries. But he could not help saying that he had heard with much satisfaction the statement that Her Majesty's Government had thought it their duty to represent to the King of Sardinia their desire that an armed intervention should not take place, and that he should not put himself at the head of any expedition for the invasion of Lombardy. He must at the same time say, that his noble Friend (the Earl of Aberdeen) had only taken that course which might have been expected of him, especially considering his long and intimate connexion with foreign affairs; and he had very property taken the opportunity of pointing out to the House and to the country that an example of aggression had been set, which, if followed up by other Powers, might be attended with very dangerous consequences. He believed there was no man either in that or the other House of Parliament who would not recognise the doctrine which had been so freely and fully laid down by Her Majesty's Government, of the right of any nation, in connexion with the sovereign authorities of that nation, to introduce any internal reforms, any modification of their constitution, which they should conclude to be for their own national advantage, and that there was no justification for any other nation, from the remote fear of probable consequences, interfering with the internal affairs of that nation with an armed force. But if that doctrine were fully admitted, and if in deference, probably, to their own sense of right and prudence, the Government of Austria had abstained from any attempt to interfere with the affairs of Naples, Sardinia, and Sicily, then Austria had shown an example and a regard for the rights of other parties, which might have been expected to save her from an armed invasion on the part of Sardinia. It was a dangerous doctrine to admit the right of any other nation, from sympathy with the supposed grievances and injuries inflicted upon another, to enter it with the avowed object of overthrowing the reigning power. And if there was a country in the world whose essential interest it was to rebut and reject this doctrine as to the right of interference, it was this country, with its widespread and outlying colonial possessions. It of all others, therefore, should most strongly protest against the attempt of any country by foreign force, whether on the part of the Sovereign against the people, or on the part of the people against the Sovereign, to interfere with the internal affairs of other States. He did not understand his noble Friend to have asked Her Majesty's Government to interpose by force, or in any way to assist Austria; but he understood his noble Friend to call their attention to the fact, that amid the universal convulsion of the States of Europe, and admitting the right of all to modify their own constitutions, this was the first instance of carrying out the dangerous doctrine of propagandism, which, if not condemned by the public opinion of Europe, might lead to invasion, by the more powerful and active, of the rights of the lesser Powers; for he believed, that unless it was put down by the general sense of Europe and the civilised world, even the best efforts of Her Majesty's Government, supported as they would be without reference to political feeling, would be utterly unavailing towards preventing the spread of a sanguinary war throughout Europe.

EMIGRATION TO CANADA.

Lord STANLEY said, that since the discussion on the Passengers' Bill, he had received an abstract of a Bill relating to the same subject which was now passing through the Legislature in the province of Canada, which would greatly impede the operation of the Bill which their Lordships had recently passed, unless the Government interfered. At the present moment the tax imposed by Canada upon every adult emigrant was *5s.*, while the tax imposed by New York was *7s.* By the Bill which had already passed the House of Assembly in Canada, it was intended to impose a tax of 20*s.* upon every emigrant, irrespective of age. After the 30th of September, this charge was to be increased to 30*s.*, and at a period subsequent to 40*s.* It was also required that security should be given against the emigrants becoming chargeable to the colony. He admitted the right of the colony to protect itself against pauperism; but he considered this charge was most exorbitant. The master might relieve himself, indeed, from giving the security, on payment of 20*s.* for each passenger imported. The consequence of this Act, if passed, would be, that the stream of emigration to a British province would be checked, and exclusively directed to the United States and other foreign parts. There was another portion of the Bill much more oppressive still. By the fifth section the master of the ship was required to report, on the arrival of his ship in the province, the names and ages of all his passengers, their state of mind, whether they had relatives in the colony capable of supporting them, and various other minute particulars, which it was utterly impossible the master could have any knowledge of; and yet, if he failed in making this report, he was to be subjected to a penalty of 5*l.* The questions he wished to ask his noble Friend were, first, whether Her Majesty's Government had received similar information to that which had already reached him; if so, secondly, whether it was his intention to place the Bill on the table of their Lordships' House; and, thirdly, whether it was the intention of the Government to counsel Her Majesty to give the Royal Assent to an Act which went to impose so arbitrary a penalty on a portion of Her Majesty's subjects?

Earl GREY had, since the discussion to which his noble Friend had alluded, received a copy of the Bill mentioned by him from Lord Elgin, who stated that it had already passed the House of Assembly, and that many Members wished to make its provisions much more severe. He (Earl Grey) regretted that some of its provisions should have been proposed; they appeared to him calculated to operate very injuriously indeed upon the interests of the colony, especially the fifth section, which imposed upon the master of the vessel a duty which was totally impossible to be complied with. He also regretted the provision which imposed so large an amount as 20*s.* a head on account of every man taken to Canada as a guarantee against his becoming chargeable on the colony. Altogether he thought the Bill would operate severely against emigrants from this country. But it was not unnatural that there should be a very strong opinion in Canada upon this subject. The expenses incurred by the colony in relieving the sick and diseased emigrants during the last season amounted to no less than 114,000*l.* Of that sum there was recovered by the emigration-tax 15,000*l.*; and by a grant made by Parliament last Session, and by advances from the military chest, which had been reimbursed during the present Session, a further sum of 55,000*l.* were repaid, making in all 70,000*l.*; still the colony had to sustain an expense of no less than 44,000*l.* for the relief of these parties. What course it would be necessary to take with reference to that expenditure, it was not in his power at present to say. But what the colonists felt more severely than this charge, was the calamity entailed on the province by the sickness which these unfortunate emigrants carried with them. He was happy to state that the Act was only proposed to last till the end of next year. In answer to his noble Friend he could only say, that until the Bill had been received in the shape of a law, it was impossible to give Her Majesty any advice whatever upon the subject. He, however, intended to send out a despatch to the Governor General, which he hoped would reach him while the Provincial Parliament was still sitting, recommending that some of the most objectionable clauses of the Bill should be reconsidered. The noble Earl concluded by stating that he would lay on the table a copy of the despatch he had received, as well as a copy of the Bill.

RACING "SWEEPS."

Lord LYTTELTON, after expressing an opinion that the lotteries called racing "sweeps," held at public-houses all over the country were illegal, asked whether the Government meant to adopt any measure for their prevention?

The Earl of EGLINTOUN deprecated interference with this subject on the part of the Government. Why have one rule for public-houses and another for club-houses? Horse-racing might be termed the national amusement of England, and it would be hard to prevent the humbler classes from interesting themselves in a sport which obtained direct encouragement from the Government. After all, the evils arising from "sweeps" were much exaggerated.

The Marquess of LANSDOWNE was not prepared to announce the intention of the Government to take any proceedings upon the subject.

House adjourned.

HOUSE OF COMMONS,

Monday, April 3, 1848.

Minutes.] New Member Sworn.—For the County of Monmouth, Edward Arthur Somerset, Esq.

Public Bills. *Reported.*—Jewish Disabilities Bill.—Distilling from Sugar Bill.—Leases of Mines (Ireland).

3° and passed;—Administration of Oaths (Court of Chancery).—Election Recognizances.

Petitions Presented. By Sir R. H. Inglis, from Southwark (Winchester), against, and by Lord J. Russell, from Dedham (Essex), in favour of, the Jewish Disabilities Bill.—By Mr. Johnson Fox, from Maldon (Essex), for Alteration of the Law as regards the Bishops.—By Mr. Archibald Hastie, from Paisley, for a Better Observance of the Lord's Day.—By Viscount Castlereagh, Bangor (Downshire), complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Sir R. H. Inglis, from Bradford, against, and by Mr. Mangles, from Guildford, in favour of, the Roman Catholic Relief Bill.—By Mr. Du Pre, from Emberton (Bucks), against the Diplomatic Relations, Court of Rome, Bill.—From Inhabitants of Kirkby Stephen (Westmoreland), against Establishment of Romish Bishoprics in England.—From Appleby (Westmoreland), and several other Places, against any Grant in favour of Romish Schools.—By several Hon. Members, from a Number of Places, for Repeal of the Duty on Attorneys' Certificates.—By Mr. Bateson, from Magherafelt, and its Vicinity, for Inquiry respecting the Excise Laws.—By Mr. Beresford, from Colchester, and by several Hon. Members, from various Places, for Exemption of Charitable Bequests from the Legacy Duties.—By Mr. Bright, from Manchester, for a Repeal of the Post Horse Duties.—By Viscount Morpeth, from Doncaster, against the Property Tax Bill.—By Lord R. Grosvenor, from Journeymen and Master Bakers in Middlesex, for Inquiry into the Grievances they labour under.—By Lord Harry Vane, from the Coxhoe Lodge of the Independent Order of Odd Fellows, Manchester Unity (Durham), for an Extension of the Benefit Societies Act.—By Mr. G. S. Duff, from Elgin, and by other Hon. Members, from several Places, against the Diplomatic Relations, Court of Rome, Bill.—By Mr. Henry, from Fleetwood (Lancaster), for Secular Education.—By the Earl of Arundel and Surrey, from York, respecting Education as relating to Roman Catholics.—By Viscount Castlereagh, from the Parish of Inch (Downshire), and by several Hon. Members, from numerous Places, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Moody, from Crewkerne, and its Neighbourhood, for an Alteration of the Factories Act.—By Mr. Headlam, from Newcastle-upon-Tyne, for Sanitary Regulations.—By Mr. Morgan J. O'Connell, from the Killarney Union, for Alteration of the Law of Landlord and Tenant (Ireland).

NAVIGATION LAWS.

Mr. BRIGHT was anxious to call attention to a subject on which he put a question to the President of the Board of Trade the other day. He alluded to the cotton cargoes now in the port of Havre, the property of merchants in this country; and he wished to know whether the right hon. Gentleman would make inquiry with a view to allow that cotton to come here—not in French, but English vessels, which would at once be favourable to British shipowners, and a great advantage to the manufactures of Manchester in the present state of the supply of cotton in Lancashire. He certainly thought what he now asked might be permitted.

Mr. LABOUCHERE had stated the other night that if a cargo of cotton was imported into Havre, either under the American or British flag, not having been landed in Havre, the ship might come to England with it. Another question had been put to him—whether, supposing a cargo of cotton imported into Havre in a French ship, it could be brought into this country either in a French or any other ship; and, without entering into the propriety or utility of the Navigation Laws, he apprehended nothing was more clear than that it was impossible, under the present state of the law, to import such a cargo from Havre into this country in any ship at all. He did not think the Government would be justified in altogether setting aside the Navigation Laws, and permitting the cargoes to be imported under the circumstances referred to.

EMIGRATION.

In answer to Mr. Monsell,

Mr. HAWES stated, that the question which had formerly been put to him on the subject of the tax on emigrants related entirely to the suggestion which his noble Friend the Secretary for the Colonies sent out to the Canadian Legislature, with a view to a Passengers' Bill being introduced into the Assembly there. Since that, accounts had been received, he believed he might say, of the passing of an Act imposing a much higher tax than formerly, namely, 10*s.* a head, on all emigrants arriving in Canada, coupled with certain other very severe and stringent provisions. That Act, however, had not yet been received in this country; and until it was formally communicated to us in the shape of an Act, it was impossible to say how far a mitigation of its provisions could be suggested. In the present state of that province, however, in reference to emigration, and the experience of the last year, when 90,000 emigrants left this country for Canada, of whom 5,000 died on the voyage, and 10,000 after landing, entailing an expense of nearly 100,000*l.* to provide for the destitute on their landing, he could not hold out any hope to his hon. Friend that the Act would be disallowed.

SURVEY OF THE METROPOLIS.

In answer to Sir B. Hall,

Viscount MORPETH said, unless the House and Government should otherwise determine, the cost of the survey of the metropolis would be defrayed out of the sewer-rates imposed on the metropolis, it being in the opinion of the commissioners of sewers quite necessary for an effective system of drainage for the metropolis at large. He confidently expected, from the best information he could acquire, that the whole expense, including that of the triangulation and taking of a block-plan, would not exceed the amount of 26,000*l.*; but the whole cost for which the commissioners of sewers had hitherto made themselves liable was confined to that of triangulation, which would not exceed the sum of 4,000*l.*

STATE OF IRELAND.

On the Motion for reading the Order of the Day for going into Committee on the Jewish Disabilities Bill,

Viscount JOCELYN said: Sir, I feel the impossibility of putting the important question to the noble Lord of which I have given notice, without some explanation of my motives for violating the ordinary rules of the House by prefacing it with a few words of introduction. I think it right to state to the House, that, looking at the present state of Ireland, I have thought it my duty, not only as a matter of justice but of public duty, to state to the noble Lord at the head of the Government the purport of the question which it is my intention to put. Indeed it was impossible to do otherwise at this time, when no man would wish to embarrass the Government charged with the administration of the affairs of Ireland; and I have to thank the noble Lord for the permission he has given me to put the question, because I believe the reply will be looked for with great anxiety by large masses of Her Majesty's loyal and faithful subjects in Ireland. I believe that the attention of the public, and of every Member of this House, must have been called in the course of the last few weeks to the language and conduct of certain individuals in Ireland. I believe there is not a single man in this House who has not seen with indignation and disgust the language of certain mischievous and traitorous men; avowedly with the object of overturning the institutions of the country—avowedly with the object of levying war upon Her Majesty's Crown, by exciting to overt acts of rebellion Her Majesty's subjects in that country. I believe it is with similar feelings that the public of this loyal country have seen that men have been found in Ireland, so void of their own and of all national honour, as to be at this moment seeking in a foreign country for foreign arms to carry out their traitorous purposes. I, as the representative of an English constituency, would call the attention of English representatives in this House to the effect which language and conduct of this kind has had upon certain dissatisfied individuals here. I know that the large majority of Her Majesty's subjects in this country are loyal and true; but still, if such doctrines and such language are allowed to pass unchecked, they will even here, in this loyal country, be productive of great mischief. I trust that the facts to which I have referred will be sufficient to plead my excuse for putting the question to the noble Lord. I think that this unnatural and this dangerous state of public affairs warrants me in asking the question. But when I use the word dangerous, I trust nobody will imagine I anticipate there is any real danger to the institutions of the country as they are established in Ireland. I believe Her Majesty's Crown rests upon a firmer basis than that of any other Crown in Europe. Her strength is not in the bayonets of her soldiers, but in the loyalty and the affection of her people; and I believe all the institutions of this country rest upon too sound and too broad a basis to be disturbed. It is satisfactory to the people of England, even now, to see the great German people, in their struggles for constitutional freedom, seeking to follow the example we have set them, and seeking to follow the model of the British constitution in preference to that of any other nation in the world. The danger, I apprehend, is to men who may be urged to acts of open treason against Her Majesty's Crown, by the language made use of by traitors and mischievous men. It is danger to those individuals, and not to the institutions of the State, which I apprehend. Fortunately for Ireland, we have at this moment at the head of the Government in that country a noble Lord who has rallied round him the united support of Protestant and Catholic. That noble Lord, by his energy and courage, has rallied round him all the loyal men of all political creeds. But whilst that noble Lord has stretched forth his arm in vindication of the law, he has not been enabled to put down this traitorous language, or to stop the progress of these mischievous men. It is the conviction of thousands of Her Majesty's loyal subjects in Ireland, that a continuance of this language must lead to bloodshed and hostile collision; and although they do not fear the result of such collision, yet they would deeply deplore the consequence. They have still in their memory the recollection of past bloodshed, and they know that years will not wipe away the blood which may be shed in civil contest; and in their name—in the name of those who would wish that by timely preparation civil war should be avoided from the shores of Ireland—I mean Her Majesty's loyal subjects, Protestant and Roman Catholic, I would ask the noble Lord whether he thinks that there is sufficient power still vested in the Government to crush in its birth this rebellious spirit; or whether he does not think that the time has come when some alteration should be made in that law which allows the instigator of rebellion to be at large, while the unfortunate victim of his doctrines may have condign punishment; or whether the time has not arrived when it is the duty of Parliament to give the Executive Minister in Ireland power to enable him to meet with vigour and effect whatever the emergency may require?

Lord J. RUSSELL: I rise, Sir, with considerable anxiety to answer the question of the noble Lord. It is quite true that language of the nature he has described has been used in Ireland—language exciting to rebellion against the Crown—language exciting the people to acts of violence against persons and property, with a view to establish Ireland as a separate nation independent of the Crown of these realms. Such language may at some periods be passed over as the mere ravings of a distempered fancy, which can have no very dangerous effect. Unfortunately, it is not so at the present moment. I believe this effect has been produced partly by the excitable nature of those to whom such language has been addressed; partly by the very great distress which has been felt by all classes now during three years—a distress which naturally induced men to listen to any desperate remedy; and, thirdly, to the great excitement which has been occasioned by the events which have taken place in France and in other parts of the continent of Europe. But whatever may be the cause, certainly that language has been followed by the manufacture of pikes; by the formation of rifle clubs, and various other preparations, which are openly avowed by the press of that country with a view of creating a civil war in Ireland. Now, Sir, I cannot but agree with the noble Lord that whoever are the instigators of that civil war, it is not so much Her Majesty's Crown—it is not so much the institutions of the country that are in danger, as the peace of Ireland, the well-being of all classes, and especially those classes which are engaged in the occupations of trade and commerce. My belief certainly is, that those who have used the language to which I have adverted, have done so for the purpose of raising themselves, careless of the bloodshed and ruin they may cause. It is, however, a most difficult and most delicate matter for the Lord Lieutenant of Ireland to consider what steps he should take. The noble Lord, I think, has paid but a just tribute to my noble Friend at the head of the Government in Ireland. I hope I need not assure the House that whilst the Lord Lieutenant is anxious to put down disaffections and rebellion, it is his earnest wish to listen to complaints, and to apply, so far as is in his power, a remedy or an alleviation to any distresses or evils that exist. With respect to the means now at the disposal of the Government in Ireland for the purpose of meeting the conspiracy to which I allude, my noble Friend the Lord Lieutenant has been in constant communication with my right hon. Friend the Secretary of State for the Home Department and with myself, and he has informed us that, while on the one side there were evident preparations for rebellion, on the other side he had received the most gratifying assurances of loyal support from a great number of persons, both Protestant and Roman Catholic; from clergymen of the one, and priests of the other religion; from all classes—landlords and merchants—and, in fact, from a large number of persons of all parties and classes in the country. The noble Lord opposite must excuse me if at the present moment I decline stating what further measures are in contemplation by the Lord Lieutenant and Her Majesty's Government in Ireland. I trust he will be satisfied with the assurance that both in this country and in Ireland we have most carefully looked into the law applicable to the case—that we have entered into the most constant daily communication with the Lord Lieutenant—and that should he be of opinion that further powers are necessary than those which have yet been obtained by the Government, I shall then feel it my duty—being convinced that such measures as he may ask can be no more than are necessary for the occasion—to come down to this House and ask this House to intrust the Government of this country with such powers. Sir, Lord Clarendon has to consider in any proposal he may make, and in any wish he may express, that if he should appear—or if there should be the least semblance of his appearing—to favour one religious denomination more than another, or of his favouring any particular class of the community above any other class, he would thereby lose a great deal of that support which he has hitherto obtained, and which has proceeded, as I have already said, from landlords and clergymen of the Protestant persuasion, and from priests of the Roman Catholic persuasion: all these have joined in giving their best assistance to him in the maintenance of peace. But the noble Lord may rest assured that it is the full determination of Her Majesty's Government, having the utmost confidence in Lord Clarendon, and in his administration of public affairs, to do all that is in their power to support the law in Ireland, and maintain the peace of that country; and furthermore, that we shall not shrink, should it prove necessary so to do, from asking this House for the grant of any further powers that may be requisite.

NAVIGATION LAWS.

MR. GLADSTONE: I cannot but express my extreme regret and dissatisfaction at the answer given by the right hon. Gentleman the President of the Board of Trade to the questions put to him respecting the Navigation Laws, as well as at the answer he gave a few days ago to a somewhat similar question. At the commencement of the Session Her Majesty, in the Speech from the Throne, gave notice of the introduction of four measures into this House. One of those measures related to the repression of crime and outrage in Ireland; the second to the advancement of the social condition of the people of Ireland; the third to the promotion of the public health in England; and the fourth to the laws relative to trade and navigation. Some of these measures have been introduced into this House. One of them has passed into law; two others have reached various stages in their progress; but of the Navigation Laws we have heard nothing of a definite kind until within the last few days, and it is announced to-night that the Bill for the amendment of those laws is not to be introduced before the Easter recess. Now, the introduction of the Bill after the Easter recess means, in the present case, that it will not be laid on the table before probably a late period in the month of May; in point of fact it means, for all purposes, and it is well it should be understood, the abandonment of the subject for the present year. I, for my part, am strongly of opinion that the country will not be satisfied with that proceeding—if it is so—upon the part of Her Majesty's Government. I think there never were clearer or stronger reasons than those, diversified as they were in their nature, which have been assigned, that it was the duty of Her Majesty's Government, independent of the intimation in the Speech from the Throne, to have made serious efforts for the settlement of the question during the present Session. But after that intimation in the Speech from the Throne, they were bound by a double tie, to make the effort. I do not mean to impute indifference to this important subject; but I draw different lessons from experience to those of Her Majesty's Government, if they think, provided they move for the Committee early in May, and lay the Bill on the table late in that month, we shall see an Act amending the Navigation Laws passed in the course of the present Session. I hardly know whether I can ask Her Majesty's Government for any declaration that can be satisfactory to myself, after what has been said by the right hon. Gentleman; but if they will express a resolute determination to press Parliament for a definitive judgment on this question during the present Session, and so to regulate the Parliamentary business that no matters of smaller importance shall set it aside, I shall very gladly receive such an assurance from them. We are going into Committeee to-night upon a Bill (the Jewish Disabilities Removal Bill) doubtless of great importance, but yet one which was not announced in the Speech from the Throne; and we are going into Committee upon that Bill on the very night on which the Minister of Trade informs us that he cannot name a day for opening the question of the Navigation Laws—that there shall be ample notice given before the Government takes such a step—but that, certainly, it shall not be before Easter. I trust that, in justice to the House, in justice to the country, to the great interests concerned, and to themselves, the Government will state whether they are determined to obtain the definitive judgment of Parliament upon this question during the present year?

LORD J. RUSSELL: It is certainly the wish of the Government to be able to introduce the important question of the Navigation Laws during the present Session; but I will not declare it as their determination, that, whatever the state of the public business may be, they will proceed with that Bill to the hindrance of other measures; and I cannot think that the right hon. Gentleman is right in what he requires in that respect. I did state a few nights ago what were the means which the Government had of applying time to the consideration of the public business; and I suppose the right hon. Gentleman would hardly have had us allow the income-tax or the Mutiny Act to expire in order to take up the question of the Navigation Laws. We have at present got through the greater part of the Jewish Bill: there may be other questions of urgent importance yet to be considered; for instance, with reference to that very question which the noble Lord asked me tonight relative to the state of Ireland; and if it were necessary to proceed immediately to consider the state of Ireland, we should not like to be precluded from doing so because we had made a pledge with regard to the Navigation Laws. Certainly there are two things which appear to me hardly compatible — requiring so many things to be brought forward and completed by the Government, and yet allowing so few days in the week at their disposal.

MR. WAWN said, it was not fair upon the shipping interest to press on the repeal of those laws when a Committee was sitting upon them in another place.

MR. ROBINSON concurred with the hon. Gentleman who had just sat down, that they should not interfere with those laws whilst a Committee of the other House was sitting upon them.

MR. LABOUCHERE could not agree that because a Committee of Inquiry into the Navigation Laws had been appointed in another place, that House should therefore delay the consideration of the question. On the contrary, when that Committee was acceded to, it was made a distinct understanding by the Government that it should not form any reason for a delay in the consideration of the subject. He assured the House, that he felt as strongly as anybody could feel, not only the importance of a deliberate consideration of the Navigation Laws by that House, but of its taking place if possible during the present Session. There were many reasons which rendered it desirable that no delay, not absolutely necessary, should take place in the final disposal of that important subject; and the only reason which his noble Friend had given for delay was, the amount of consideration which it was positively requisite the Government should give to other business. For himself, he conceived that they would make no real progress in the Bill by laying it on the table before Easter. He hoped, however, to do so then, and that the House would be able, after a full consideration, to bring that most important subject to a satisfactory conclusion during the present Session.

DR. BOWRING said, that a strong feeling existed out of doors that something should be done to apply to the shipping interest the same principles that had been applied to other mercantile interests, and that the shipowners should be compelled to adopt those principles as the basis of future legislation.

MR. HUDSON did not know what authority the hon. Gentleman had for saying that a strong feeling existed on the subject out of doors, for he had heard of no public meetings. But if public feeling had been awakened at all, it was in a contrary way to that indicated by the hon. Member, and was in favour of the continuance of the Navigation Laws. There were large and important classes in the country, who, whether from mistaken ideas or not, were convinced that the Navigation Laws were essential to the commercial welfare of the empire; and he trusted that Her Majesty's Government would not suffer themselves to be hurried in the consideration which they were no doubt giving to this vital question.

MR. BRIGHT wished to ask the right hon. Gentleman the President of the Board of Trade another question in connexion with the cargoes of cotton now in the port of Havre — whether or not it was not the custom in former times — in times of war especially—to grant licenses whereby particular cargoes had been brought into the country, and which could not have been so brought in under a strict enforcement of the Navigation Laws? And, also, whether it was not now in the power of the Board of Trade, or at least of the Privy Council, to issue an order by which British property at present at Havre, might be sent here? An order of this kind would probably not offend the Gentlemen who were opposed to any alteration of the Navigation Laws; for the object in asking for it was to furnish employment to British shipping; and when the right hon. Gentleman recollected the small stock of cotton in the Liverpool market at this moment, he would see the necessity of affording every facility towards the early increase of that stock. He differed altogether with the hon. Member for Sunderland (Mr. Hudson) as to the general opinion out of doors in reference to the Navigation Laws. He was convinced that nine-tenths of those at all connected with trade and commerce were for a repeal; and from what he had learned in some of the Committees on which he had sat lately, and particularly in the Committee appointed to inquire into the cultivation of cotton in India, he had found good reason to believe that the abolition of those laws would be as beneficial to India and our other colonies as to the general interests of this country.

Mr. LABOUCHERE said, he knew very well that there was at Havre a quantity of cotton which was not wanted there, but which was very much wanted in this country; and he also knew that, under the existing Navigation Laws, that cotton could not come from France to England, but must go back to America. He fully admitted the hardship; yet that was the law of the land. It was in fact one of the essential principles of the Navigation Laws, and he thought it would be quite improper of the Government, whatever might be their individual opinion, to take upon themselves to set aside the law of the land by an Order in Council. He knew no instance of the kind; and though he agreed with the hon. Gentleman as to the impolicy of those restrictions, yet he thought it would not be justifiable for the Government to take the step which he recommended.

Mr. CARDWELL said, the state of the case was this. We had a great scarcity of cotton in England. There was admittedly a large quantity in Havre belonging to merchants, who were very desirous that they should be allowed to bring it to England. All they desired was that they should have the liberty of bringing it here in British ships. It was against the law, however, for them to bring from Havre in British ships cotton which was now in the Havre warehouses. They had upon the table of the House the Queen's Speech, containing the announcement that it was the intention of the Government to settle the Navigation Laws; but when the Minister was asked whether the question was coming on or not, he would not give a definitive answer; but the noble Lord did give an answer which left him to think that there was very little danger of its coming on this Session. Agreeing in the importance of having that cotton brought to this country, and admitting the impolicy of the Navigation Law restrictions, the President of the Board of Trade was yet unable to say when he should be able to introduce his Bill with regard to those laws. However, there certainly was time enough before Easter to enable the right hon. Gentleman to pass a law authorising the bringing that cotton from Havre to this country; and he had listened with anxiety in the hope of hearing him announce his intention of bringing forward an unopposed Bill for that purpose. As yet, however, he had observed no such intention on the part of the Government.

Mr. P. SCROPE suggested, that as they had suspended the Navigation Laws last year in the case of corn, the justification being the scarcity of that article, they might consent to a similar experiment now, when the circumstances were the same with regard to cotton. The House should remember that the thousands of workmen who had been thrown out of employment in the manufacturing districts had had their distress increased by the accession to their numbers of those of their countrymen who had been expelled from the mills in France; and all that was asked was, that the cotton which was lying useless in the French ports should be allowed to follow these unfortunate people.

Mr. H. BAILLIE thought that, despite the indignation testified towards the President of the Board of Trade, the right hon. Gentleman was quite right in refusing to supersede the law of the land by an Order in Council. It was his (Mr. Baillie's) opinion, that even if they did so far repeal the Navigation Laws as to permit the cotton sent to France to be imported into England, the Provisional Government would at once issue a counter order, forbidding it to be taken away. The French Government would look to the employment hereafter of their workmen, and they would of course take care that the supply of cotton should not fall short.

Mr. Alderman **THOMPSON** could not join in the recommendation to bring in a Bill to remedy what was termed this "partial grievance." He was of opinion that a great principle was involved in the question, and that if the cotton referred to were allowed to be introduced, similar attempts would be made to introduce coffee and sugar, and other articles of colonial manufacture, from France and the Continent. The Government ought at once to make up their minds upon this subject, and either to state that they did not intend to interfere with the Navigation Laws this Session, or, on the other hand, to lay their measures on the table of the House.

Mr. T. **BARING** said, the price of cotton was very low at present, and he could not see any very strong plea for relaxing the Navigation Laws in order to introduce an article of which the prices were at present low. If it were not a case for relaxation, he must protest against thus attacking the Navigation Laws by a side wind.

Conversation at an end.

JEWISH DISABILITIES BILL.

Order of the Day for the House to resolve itself into Committee on the Jewish Disabilities Bill, read.

Mr. **GORING** rose for the purpose of moving the Amendment of which he had given notice—

> "That it is the opinion of this House, that so long at least as the House of Commons exercises the authority which it at present does exercise over the Established Church, no Jew ought to possess the franchise, much less be allowed to sit in this House."

He objected to the admission of Jews to that House on nearly the same grounds on which the hon. Member for the University of Oxford (Mr. Gladstone) advocated the present measure—viz., that the House of Commons legislated in matters ecclesiastical; and he would confess that if the Church were permitted to legislate for herself in such matters, and the legislative jurisdiction of the House over the Church were done away with, many of his conscientious objections to this measure would be removed. This measure would place a Jew—a conscientious Jew—in such a position as must be annoying to a conscientious Jew. In a Christian country, none but a Christian should be placed in offices of trust and power. Could any Christian conscientiously accept an office in India, in performing the duties of which he would be called upon to bow down to idols? Could any conscientious Protestant accept an office which would compel him to bow down in adoration before the Virgin Mary? Why, then, should they wish to subject the Jew to the necessity of holding office in a Christian country, which, if a conscientious Jew, it must be against his feelings to hold? It had been recently said that the revenues of the Archbishop of Canterbury were subject to the direction and decision of the House of Commons. Would they appoint a Jew as chairman of the Committee to which the regulation of the revenues of the see of Canterbury should be referred? If they excluded him from such Committee, they would be, in a great measure, acceding to the terms of his Motion; and the same feeling which excluded the Jew from the Committee should exclude him from a Christian Legislature. If at the last election for the city of London the Jews had abstained from voting until the last hour, and had then waited on the noble Lord and said, "We will vote against you unless you promise to abstain from bringing forward any measure for making four new bishoprics," would the noble Lord have thought that a proper exercise of the franchise? It was his opinion that the professed enemies of the Church, among whom he reckoned more particularly the Jews, ought not to be permitted to exercise civil powers. He had been greatly confirmed in his opinion by the late decision of the Judges in the case of the Bishop of Hereford, by which it appeared that the appointment of bishops was vested, without appeal, in the Prime Minister; and he implored the noble Lord to grant some tribunal of appeal against the appointment of persons as bishops whom the Church might think unfit for the office. He protested against the right of admission claimed for all Her Majesty's subjects to legislate in civil matters. He would exclude from the Legislature all who did not profess Christianity. It was the duty of Government to put down usury, and to prevent gambling in the public securities; and yet by this Bill they proposed to open the House to those persons who were notorious for the commission of both those offences. As it was not forbidden by the rules of the House to cite from the sacred volume, he should remind them of the words of that Apostle who, above all others, inculcated the doctrine of peace and charity among men:—

> "He that abideth in the doctrine of Christ, he hath both the Father and the Son. If there come any unto you and bring not this doctrine, receive him not into your house, neither bid him God speed; for he that biddeth him God speed is partaker of his evil deeds."

In the face of such a command as this, would they dare to offer such a direct insult to their God, as, when they offered up their prayers for His blessing on their councils, invite the sons of those who were the revilers of Christ to join in them, and thus draw down the vengeance of Almighty God upon this Christian country?

Lord J. RUSSELL said, as the discussion to which the Amendment of the hon. Member invited them, would be a renewal of the debate on the second reading of the Bill, he hoped the House would consent to go into Committee now.

Mr. CUMMING BRUCE said, he had taken no part in the previous discussion on the Bill, and therefore he should briefly express his reasons for opposing it. In 1834, a Bill, having a similar object, was introduced by Sir Robert Grant, and on that occasion he, notwithstanding his great respect for Sir Robert Grant, moved that the Bill be read a second time that day six months. Nothing which he had since heard on the subject had induced him to change the opinions he then entertained. In his opinion, the tendency of the Bill before the House was to unchristianise the Legislature of the country, and, so far as that House was concerned, to sweep away everything like a national recognition of our allegiance to God as the God and Father of our Lord Jesus Christ. The Bill appeared to him (Mr. Bruce) to be so mischievous, so pregnant with evil and danger, that he should offer to it every opposition in his power. It was calculated to remove no practical grievance, and was, therefore, utterly useless. In fact, he considered it was not only ridiculous, but indecent and monstrous to propose it. One of the functions of the House was the promotion of true religion, for that was the best way to promote the peace and prosperity of society. It had been well observed by Wordsworth, that it was the duty of the State to open new channels which the flood of sacred truth might enter into, and from which it might overflow the realm as the waters of the Nile did the Egyptian plains. In theory and practice they professed to legislate for the Church; but how could they continue to do so if they admitted into the Legislature men who, believing Christianity to be an imposture, would do all in their power to abolish it by procuring a separation of the Church from the State? If they made legislators of Jews, must they submit questions relating to the Church to the Sanhedrim? By the constitution of this country the Sovereign was the head of the Church. The Sovereign of this country exercised no small influence in nominating, or at least recommending parties to fill the highest offices of the Church; the Sovereign recommended the appointment of those who were to watch over the interests of the Church, to maintain the soundness of its doctrines and its faith. Now, it might so happen that, acting under rash and ill-considered advice, given, perhaps, from mistaken views, the Crown might recommend a person to a high office in the Church who did not possess the confidence of a large portion of the Church. He was quite aware that he supposed a case of almost impossible occurrence—he could scarcely conceive that the Sovereign would act upon a wrong recommendation. But it might occur. In such a case he conceived that it would be the duty of that House humbly to remonstrate to the Crown against such an abuse of the prerogative, and the infliction of a great calamity to the Church. But could they, on such an occasion, expect that the Jewish Members of that House would assist them in such a remonstrance? Would the Jewish Members aid them in inducing the Crown at least to be more cautious for the future in the exercise of its prerogative with regard to the Church? He rather feared that the Members of the Jewish persuasion would act in such a manner as to give encouragement to any Minister who might, intentionally, or unintentionally, be concerned in any act dangerous to the safety of the Church; they would do all in their power to pull down what they might consider a great imposture. A great deal had been said about the hardship of excluding the Jews from seats in that House; for his own part he must say, that to him it appeared quite impossible fairly to maintain such an argument. It had been argued, that because they had been already appointed to the offices of aldermen, sheriffs, and he knew not what more, the House should go still further, and admit them to seats in the Legislature. He must say, that that species of argument afforded but little encouragement to that House for the concessions which had already been given to the Jews to proceed in that direction. But he denied that the office of sheriff or alderman bore any analogy to a Membership of the Legislature. When the Jews were appointed to the office of sheriff or alderman, they were called upon to perform merely a ministerial duty; but it was quite a different thing to admit them to a participation in the sovereign power of the country, for that sovereign power resided to a very great extent in the Commons' House of Parliament. He was quite aware that that power was tempered by the veto of the two other branches of the State; but they need not travel far back for instances to show that any opinion expressed by a considerable majority of that House was sure to become the law of the land. The cases of the Roman Catholic Relief and the Reform Bills proved his assertion. He knew that there were many hon. Gentlemen below the gangway on the opposite side of the House, who contended that religion ought to be separated from the State. The hon. Member for the West Riding of Yorkshire boldly advocated that opinion the other night; but he wished to remind the House that the principle of the union of religion with the State was admitted by the very Bill which was now being discussed. Hon. Gentlemen opposite contended, that in religious matters man should be left entirely to his Creator. He (Mr. Bruce) differed with them. It appeared to him that it was the duty of the Senate to pay attention to the religious education of the people. To a recognition of that principle on the part of our forefathers, it was that we were indebted for the eminent position which we held amongst the nations of the earth. Our forefathers thought, and so did he, that it was the duty of the State no less than of the individual, that right religious principles should be inculcated throughout the land. After the reception of the hon. Gentleman's quotation from Scripture, he (Mr. Bruce) should not be disposed to make any other quotation from it in that House. He would content himself by saying, that the Bible commanded the governors of the people to "turn to the Lord their God," and preserve his worship amongst the people. How then could the noble Lord at the head of the Government, who, he believed, entertained the most profound reverence for the sacred Scriptures, justify the step which he had taken in reference to this question? He need not remind them how quickly national punishment followed national sin. Two years had not elapsed since nearly the whole of this nation gave itself to the worship of Mammon, and ran mad in the idolatry of covetousness. Two-thirds at least of the moneyed men of this country had nearly been ruined by their over-speculation and reckless free-trade principles. And let them look at the state of our West Indian colonies at this moment. Had they not ruined them by their attempt to make a gain of an eighth or tenth of a farthing in a pound of sugar, in violation of the principles of humanity and justice?—and the result had been wide-spread and universal calamity in this country. He need not then, as he had before said, go to France for an instance of the speed with which national punishment followed national irreligion. He did not oppose this measure from any hostile feeling which he entertained with regard to the Jews; far from it; he entertained for them the highest respect. They were the kinsmen of Him whose title was the Son of God; indeed, he looked upon them as the real aristocracy of the world. The Jews were still the peculiar people of God, and he (Mr. Bruce), therefore, entertained for them sentiments of veneration. They stood forth as one of the greatest miracles of God upon earth; and the accomplishment of their restoration to power would, he believed, be as miraculous as their preservation. It had been said that every British-born subject was entitled to all the benefits of the British constitution, and that, therefore, the English Jews were entitled to equal rights with the rest of Her Majesty's subjects. But he utterly denied the truth of that argument; the Jews considered themselves as strangers; they did not consider themselves bound in allegiance to the Sovereign of this country in the same manner as were the other subjects of this country. The hon. Gentleman read a passage from his speech on the 21st May 1834, in which he predicted the late revolution in France as a just judgment upon her for the manner in which her senators had scoffed at religion.* The hon. Gentleman proceeded to warn the House not to involve itself in similar calamities by passing this monstrous Bill. He confessed that he could not go to the extent of the hon. Gentleman's Amendment, viz., of depriving the Jews of the franchise; but he confessed that he would use all the means within his power to defeat this attempt to admit the Jews into the Legislature.

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* Hansard, Vol. xxiii. (Third Series), p. 1162.

Mr. GARDNER said: I fully expected, Mr. Speaker, that some such Motion as that which has just been made by the hon. Member for Shoreham, would be brought before the House in the course of this debate; and I thank the hon. Member for his candour in putting such a Notice as this upon the Paper, because it points to that which I have always believed to be the real difficulty in this and similar measures —I mean, the existence of an anomalous ecclesiastical institution in this country—in other words, the Church by law established. I have always thought the existence of that Establishment was incompatible with religious liberty and political equality; and the hon. Gentleman has confirmed my suspicion, for he invites you in the interest of that Establishment not merely to continue the present disabilities of the Jews, but to retrace your steps, and to deprive them of franchises which they already enjoy. But before I go further, I must protest against the religious colouring which this question receives at the hands of hon. Gentlemen opposite. I decline to enter into the question whether the Government of this country is based upon religion, or whether Christianity is part and parcel of the law of the land; because when I look into propositions of this character, I find they only amount to this: whether this or that individual's views of religion, and this or that individual's views of Christianity, are to be received as something final, fundamental, and essential. We were told the other day, and I think told justly, by a right hon. Gentleman who is not now in his place, that this occupation of ours as legislators was in fact a profession; and bearing this in mind, I could not help thinking on many occasions in this debate, that some at least of the Gentlemen on the opposite benches had mistaken their calling and their profession. Considering the solemnity of manner, and the almost professional pathos of expression which has breathed from the opposite benches upon this dreary camp of religious indifference, might it not be well, Sir, to appoint a Committee upstairs of controverted doctrines as well as controverted elections, and thus relieve the bulk of the House from considerations of this or that view of Divine truth, which, however full of profit they may be to those who conscientiously receive them, cannot and ought not to have any influence upon the course of this House in matters of purely civil and secular concerns? I differ, however, so entirely from the hon. Gentleman the Member for Shoreham, that I support the Bill of the noble Lord for two reasons: first, on account of the specific relief which it affords to many thousands of my fellow-countrymen against whom nothing is alleged but the peculiarities of their religious opinions; and, secondly, because I think I see in the success of this measure—as successful I have no doubt it will be—a fresh shock to that *quasi* ecclesiastical character of the Government of this country, against which I, for one, shall always protest. I fully acquit the noble Lord who introduced this Bill, and most of the hon. Gentlemen who will support it, of sharing my expectations in this respect. They, I have no doubt, act in perfect good faith to what are called Church and State principles, and indeed think, I dare say, that the interests of the Church will be advanced by the success of this measure, and by the admission of Jews into Parliament; while, on the other hand, the hon. Baronet the Member for the University of Oxford, and those who act with him, oppose this Bill because they think its success will involve a fresh contradiction of those principles, and be injurious to the interests of the Church. I believe I do not misapprehend the hon. Baronet. [*Sir R. Inglis signified his assent.*] Well, Sir, I should be wanting in the candour with which I always desire to treat these subjects, if I were not to say that in my view the hon. Baronet's theory is the more sagacious of the two; for in my mind the idea of penal laws, and civil disabilities, and compulsory taxation, is so intimately connected with an Established Church, that I cannot conceive of the one existing without the other. I am in the hearing of many hon. Gentlemen of great learning, who will correct me if history does not bear out my assertion; and certainly I cannot promise you that your Erastian edifice will be as secure as it was before these artificial but necessary props were removed. Corporations, like individuals, have their instincts of self-preservation, and their presentiments of coming danger; and it is only necessary to contemplate for a moment the position of the Church of England towards the State of England, to see at a glance that in opposing herself, as she always has done, to this and similar measures, the Church is only refusing to commit an act of political suicide, and is endeavouring to postpone as long as possible the exposure of the hollowness of the principles upon which she is based. For what is the position of the Church towards the State? The Church, Sir, has, for a mess of pottage, resigned her birthright of spiritual discipline into the hands of the State; the Church is, both as to her doctrine and discipline, the creature of this High Court of Parliament; she cannot alter or revise her ritual or her liturgy in any way without the permission of this House, because her Thirty-nine Articles, and the Rubric of her Book of Common Prayer, are part and parcel of the statute law of the realm. It is known to the House that the spiritual council of the Church, her Convocation, has been practically silenced for more than a century—that the choice of her dignitaries and chief priests is in the hands of the Minister of the Crown, subject in this, as in other matters, to his responsibility to this House—and that deans and canons refusing to elect, and bishops and archbishops refusing to consecrate, the persons named in the Royal *congé d'élire,* are subject to the pains and penalties of *præmunire.* Well, Sir, these things being so, I do in one sense agree with the hon. Baronet the Member for the University of Oxford, that the Church is in danger—not merely as to her temporal, but much more as to her spiritual interests. *Vulnus alit venis:* it is the poisoned current of her own blood which is corrupt. The danger, moreover, is of her own seeking, and voluntarily incurred—for she can escape from that worldly alliance which is the cause of it, and go forth a Free Church whenever she lists. I have recited the notorious and undeniable position of the Church of England toward the State, merely to show how consistent and natural is the course which the friends of the Church feel themselves bound to take upon occasions like the present; and to explain how it comes to pass, that Gentlemen of the most amiable and benevolent dispositions appear year after year in this House in the capacity of persecutors! For I maintain, Sir, that civil disabilities on account of religion are a species of persecution, and indeed the only kind of persecution of which the spirit of the age admits. But then, Sir, the Church being thus bound hand and foot to the will of the State, it has of course always been of the utmost importance to her; and she still preserves the tradition, that the executive and legislative of the country should be monopolised by members of her own communion, and should represent her views, and hers only. Accordingly, we find that in those "good old times" to which the hon. Baronet the Member for the University of Oxford looks back, I dare say, with much regret, the Church of England possessed such a monopoly, and exercised it with a vengeance. Why, Sir, we find that the conscience even of the first magistrate of the country was coerced and compelled by that Statute of William III. which enacted that whoever thereafter came into possession of the Crown of England, should be of necessity a member of the Church of England. We know, too, that till very lately both the Houses of the Legislature were packed, so to speak, to serve the purposes of the Establishment—were converted into trim preserves of Anglican orthodoxy, and sheltered from every wind of dissent. To the hon. Baronet, this arrangement would appear, no doubt, highly proper and satisfactory: to me, on the other hand, it appears to violate the first principles of political justice—to be based on an entire misconception of the ends of civil society—and to be calculated to sow the seeds of religious hypocrisy and indifferentism in the highest quarters. But let that pass. I am now dealing with facts, and not opinions: and in the face of those facts, and of the whole tenor of the history of the Church, I profess myself unable to agree with an observation which fell from a noble Lord on another occasion—something I think to this effect: that whereas the struggle was once for a Protestant, it is now a struggle for a Christian Parliament. I believe, Sir, on the contrary, that the struggle both now and heretofore has been for a Church of England Parliament. No doubt when the question of Catholic Emancipation was before you, the religious animosities of a small portion of Protestant Dissenters might possibly have been enlisted to oppose that measure; and possibly the antipathies of a still smaller section of Dissenters may have been excited to oppose this Bill. But notoriously, this is in the main a Church of England question—the opposition to it proceeds mainly from members of that Church—it is conducted upon Church of England principles, for I will defy it to be conducted on any other. The cry is still the same—"We will not have a parcel of Jews, Turks, Infidels, and Heretics, to legislate for our Zion, to overhaul the 'gambling transactions' of our bishops, to pass Church-discipline acts, to alter the distribution of our property—perhaps to take it away." And thus, Sir, that the interests of this ex-anomalous ecclesiastical republic may be secured—in order that the absurd theory of the identity of Church and State (that is, of the civil and religious community) may be maintained, we are invited to oppose ourselves to the spirit of the age, to fall back upon the principles of the past, and to expose ourselves to the ridicule and animadversion of the whole civilised world! But then, Sir, it may be said that I am really now going too far—that I am overstating my argument—that positively this is a case in which the interests, not merely of the Church of England, but of our common Christianity, are concerned. Well, Sir, I am not here to impute motives, and I doubt not that many hon. Gentlemen have persuaded themselves that such is the case. But if such be the case, may I not be permitted to inquire how it happens that Dissenters, who may be supposed to have some interest in our common Christianity, do not bestir themselves in the matter? I hope it will not be said at this time of day, that a regard for our common Christianity is confined to the pale of the Church of England, and that it is only at the vacillating torch of Anglican orthodoxy that the people of this country can read their religious duties aright. Where, then, are the Methodists, the Independents, the Baptists, the Unitarians, the Quakers, and the Roman Catholics? Why do not they rush to this House, and cover your tables with petitions against the desecration with which we threaten them? No, Sir! men return to rational, common-sense views upon these subjects, when there is nothing to be gained by an opposite course—when there are no loaves and fishes in the way, no guilty *pabulum* of religious bigotry and hypocrisy. What is the course which is taken in such matters by nations not less enlightened than ourselves, but where there is no Established Church to poison the current of their legislation? What would have been said in the French Chambers if it had been proposed to exclude Jews from them on account of religion? Those Chambers, lately dispersed for their exclusiveness and their blindness to the signs of the times—in warning, I trust, to other legislatures—would never have ventured upon such an irrational outrage as this. Or, if you object to the example of France as a revolutionised and infidel country, what is the course of those flourishing New England colonies, where the puritanical spirit is certainly not less flagrant than it is here, and where indeed, in the early stages of their history, the fact of church-membership was exacted as a necessary condition of holding public office? The truth is, Sir, that in a country where opinion is free, there can be no such thing as a common Christianity, so far as dogmas are concerned. You may generalise any number of sects you please under the name of Christians; but that does not make them so in their confessions to one another. The Protestant, for instance, wont admit the practical Christianity of the Roman Catholic, nor the Trinitarian the Christianity of the Unitarian. It does not therefore follow, that whichever of these sects is uppermost, is to avail itself of its power to disfranchise the others. This would be to violate that Catholic spirit of Christianity by which nations and parties may be actuated as well as individuals, and which would be quite sufficient for their guidance in their relations with each other, would they but listen to it. Nothing more is required of nations than of individuals, and that is "to do justice, and love mercy, and walk humbly with their God." Nor can I conceive of a nation offering up, in its collective capacity, a more acceptable oblation to the Most High, than a generous Bill of Enfranchisement like this, based, as it appears to me to be based, on the cardinal Christian virtues of charity and humility. I have dwelt at some length, Sir, upon this delicate branch of the subject, and upon the influence which the alliance between Church and State exercises over it, because I feel that this, as I said before, is the real difficulty, though it has been unaccountably avoided by almost every Gentleman who has taken part in these debates. I recollect that a most rev. Prelate, the native liberality of whose mind rises superior to the circumstances of his position, alluded to this difficulty in another place, and pointed out the absurdity of admitting Jews, or indeed any Dissenters into Parliament, so long as our constitution in Church and State remains as it is. But as he of course could not bring himself for a moment to exclude such persons merely in the interest of the Establishment, he proposed to get over the difficulty by appointing special Commissioners to legislate upon Church matters, such Commissioners to be members of the Church. But as I am opposed to the principle of an Established Church under any circumstances whatever, I do not think it necessary to make any remark upon this proposal; and I only mention it to show that the same difficulty has suggested itself to a mind much more able than my own. It is also true that the right hon. Gentleman the Member for the University of Oxford, in the brilliant speech with which he favoured us on this subject on another occasion, alluded to the petition of a dignitary of the Church, who also, being too liberal to object to the admission of Jews, prayed the House nevertheless first to repeal the obnoxious Statute of Henry VIII. Well, Sir, on this proposal I shall also be silent for a like reason. I recollect, moreover, that the right hon. Gentleman to whom I have alluded, did also advert to this part of the question—reminded us that we came here to legislate for the Church as well as for the State of England—and spoke of what I think he called the "divided functions" of this House. But he endeavoured to excuse his vote, and to restore the confidence of his rev. constituents, by assuring them that Members of this House, who were not at the same time members of the Church, had always shown too much good taste and good sense to interfere with the affairs of a Church to which they did not belong. He intimated, in fact, that it would be the duty of such persons, whenever the affairs of the Church came up, to avert from her their respectful eyes altogether, as the Athenians did theirs from the enchanted groves of Eumenides. Well, Sir, I do not know how far the course pursued by what is called the Dissenting interest may have justified this expectation of the right hon. Gentleman. For myself, however, I take the opportunity utterly to renounce and reject it. I maintain that, as the representative of a British constituency, it is my privilege and my duty to treat every question connected with our ecclesiastical polity, with the same freedom as that which I bestow upon our civil affairs. I decline to regard the Established Church as a fundamental institution of the State, a law of the Medes and Persians superior to change. In her spiritual capacity she may be founded on a rock—God forbid that I should throw a single stone against the bulwarks of her Zion! But surely as to her temporalities, they are based upon the shifting sands of Acts of Parliament; and I should be wanting in my duty were I not to say that in my opinion such an institution is unsuited to the times in which we live, and that sooner or later you will have to give it up. I am sure that such a prediction will not appear extravagant to such a body as that which I have the honour to address—a body of educated men, and men of the world—a body composed of Ministers of the Crown, of railway directors, of country gentlemen, manufacturers, and barristers-at-law. Don't tell me that you are blind to the real state of the case. At all events, I know that out of doors at least, the lamp of Nonconformity has not quite gone out, and that Englishmen have not altogether banished from their minds that principle of immortal truth, that the civil magistrate has no power or jurisdiction in matters of religious belief—a principle which I take to be fatal to the institution of an Established Church, but upon which, and which alone, I found my hearty support of this Bill. I thank the House for the indulgence with which they have listened to me on an unpopular subject. If, in the course of these remarks, I have involuntarily gone beyond the line which I have strictly marked out for myself, and unnecessarily wounded the religious—I mean the purely religious—opinions of any hon. Gentleman, I offer my humble apologies to them and to the House. I trust they will attribute it to inadvertence and not to intention; to the novelty of my position in this House, and to my little experience in the art of addressing deliberative bodies of any kind. In conclusion, permit me to remind them that the course which they pursue on this occasion, will show how far the principles of religious liberty obtain in this House, because this subject can afford to be argued on its abstract merits, and with no reference to political expediency. It was not so when the Roman Catholics and Dissenters applied for relief at your doors. They appealed to your fears and your prudence, as well as your justice and your charity; and it might have been said, as it was said at the time, that you sacrificed to considerations of temporary expediency the fundamental principles of the British constitution. But if, Sir, now in cold blood, and on the Motion of the noble Lord, not unfamiliar with Motions of this kind, you open your arms, and admit within the pale of the constitution this weak remnant of an outcast and unpopular race, which, so far from raising an arm, has scarcely ventured to breate a sigh for emancipation, you will indeed confess to Christendom, and to the world, that the reign of religious bigotry is drawing to a close within these islands, and that you are about to close with your own hands the gates of that temple of the theological Janus which have been wide open, all over Christendom, to its great scandal, ever since the days of Constantine, the first of the Erastians.

MR. SIMEON opposed the Bill, after the fullest consideration which he could give to the subject. He heard with feelings of regret the speech of the hon. Gentleman who had just sat down; and, if anything could induce him to offer a still more vehement opposition to the Bill of the noble Lord, it would have been that same speech; and he would lament to see the introduction to this House of a class of Dissenters —if he might so term the Jews—animated with feelings so hostile towards the Established Church as those by which the hon. Member seemed to be actuated.

MR. URQUHART said, that he should vote for the Bill of the noble Lord (Lord John Russell), but that he did so for reasons which he could not allow to be confounded with those given by the hon. Member for Leicester. He was placed in a peculiarly embarrassing situation, agreeing in a great deal of what was urged on both sides, by two parties who were taking courses directly opposite. With the one he entirely concurred that the Jews were subjects of the Crown of Great Britain, and were thereby legally entitled to every right which belonged to them in their capacity of ratepayers and citizens. He concurred on the other side that it was monstrous that Jews should be admitted to legislate for a Christian Church. It was not in his opinion a question of Christian ethics, but of just position of the English Church. He did not hold the Jews disqualified from judging sanely and acting uprightly in all questions in which religion was to be their guide in politics; for the religion of the Jews, in as far as regarded the conduct of man towards man, was the religion of the Christian. Christ gave no new commandment. But, on the other hand, he held that the Church, as established in England, was not to be subject to the votes or opinions of any other community save its own. The whole process of recent legislation had been directed against the Church; and that night they had heard the Church in one and the same breath charged with usurpation, and with prostration, the effect of the usurpation of others. In every recent change of the constitution, the Church had systematically suffered—it had suffered in the Unions of Scotland and Ireland—it had suffered in the persons of the bishops, the spiritual Peers being diminished in the Upper House, while the temporal Peers had been enormously increased, and now they were threatened with total exclusion from that House; the clergymen of the Church of England had been excluded, while they admitted Dissenters—nay, the very ministers of Dissenting congregations. But, more than this, the means of administration within the Church had been destroyed. In their liberality they were conferring new rights and privileges; and while with the one hand they were building up new franchises, with the other they were pulling down old ones. If they admit the Jews to Parliament, why hold out of existence a branch of Parliament, the Convocation? He held in his hand an address to Her Majesty which had already received the signatures of several hundred clergymen, and which would surprise the House by the nature of its prayer. The petitioners request the restoration of "the Convocation of the Church of England to deliberate on matters affecting the interests of the Church." They assert—

> "That the necessity which exists for a deliberative assembly in common with every other body, whether of a religious or secular character, attaches no less to the Christian Church. In representing their sense of the need of an acting Convocation, they humbly submit that they are only desirous that the Church should be placed on a level in this respect with other religious denominations in your Majesty's dominions, each of which either actually has or may have its central deliberative assembly for the regulation of its own affairs."

This was the difficulty of the question; and he would have been prepared to have voted for the exclusion of the Jews, if his estimate of the constitution of England was according to the erring practice of these times. If, indeed, it was the constitution of England that that House of Parliament should legislate upon matters of doctrine and discipline of the Church, the admission of Jews would be as absurd as it would be to force Jews into the General Assembly of the Church of Scotland. But he held very different doctrines in respect to the duties of that House, and the rights of that Church. Archbishop Whately had, in a speech formerly delivered on this subject, accurately stated the dilemma, and he would beg leave to read his words:—

> "It is urged that persons who not only do not acknowledge, but who renounce and deny—and some say vilify—the great Author of the Christian religion, ought not to have any voice in the Legislature of a Christian country. On this point arises a question which I own I find it very difficult to answer. The Legislature of this country—I mean the two Houses of Parliament—is not confined to what may be called the civil government, the imposing of burdens which all must bear, and the enacting of laws which all must obey; but extends to the government of the Established Church also, even in matters purely ecclesiastical. It is, in fact, at present the only ecclesiastical government; since Convocation has long been in a dormant state in England, and in Ireland does not exist even in that state. Whoever, therefore, is admitted to a seat in the Legislature, is admitted to a share in the government, not only of the State, but also of the Church; and that, not only in respect of its temporalities, but also of purely ecclesiastical affairs. If, therefore, the question be asked, 'What right can a Jew have, under any circumstances, to legislate for a Christian Church?' I know of no answer that can be given to that question, except by asking another: 'What right has a Roman Catholic to legislate for a Protestant Church; or a Presbyterian for an Episcopal Church?' What right, in short, has any man to legislate, in ecclesiastical matters, for any Church of which he is not a member? This anomaly appears to me to exist in all these cases alike."

Archbishop Whately had stated, but had not solved the difficulty. The solution of the difficulty lay in this—that the means of self-government should be restored to the Church, and withdrawn from that House; but he could not—because that House usurped a power which did not belong to it—make that a reason for denying to the Jews a right which he conceived justly and duly to belong to them. The argument for the exclusion of the Jews applied equally to the Roman Catholics and to the Dissenters; and there was no argument which applied to the one which did not apply to the other. He would not notice the distinction between Jew and Christian, of which he had already disposed. The political religion of Jew and Christian was the same. The question of church government excluded Nonconformist equally with Jew. They were not prepared to withdraw from Nonconformists the privileges they had granted: they could not refuse them to the Jews. He trusted that the admission of the one and the other would force upon those who looked to the concerns of the Church the necessity of taking measures to remedy the present abusive system. It had been repeatedly urged that the Jews were aliens to this country; and the long denegation to them of political rights was the basis of that argument. But the facts had been wholly misunderstood. The date of the exclusion of Jews from civil offices might be found, but not that of their admission. From the very earliest periods the Jews enjoyed civil, municipal, and ministerial offices in all the countries of Christendom. St. Paul claimed his right as a Roman. The Jew was a citizen in the Roman empire—the Jew was a citizen in all those States that were formed out of Rome. The noble Lord the Member for Bath (Lord Ashley) had, on the first night of this discussion, quoted a passage from Dr. Arnold, which had produced a powerful impression, both as conveying his opinion of the propriety of excluding the Jews, and as establishing the fact of their exclusion under the Roman system. The right hon. Member for the University of Oxford (Mr. Gladstone) had met the opinion of Dr. Arnold by referring to the peculiar theory on that subject which had falsified his judgment, but left untouched his assertion respecting Roman law. The right hon. Baronet the Member for Tamworth Sir R. Peel) had taken up that point; but not, it seemed to him (Mr. Urquhart), in a satisfactory manner. The statement of Dr. Arnold was that the Jew in Rome possessed the *jus commercii* and the *jus connubii*, but did not possess the *jus honorum* and the *jus suffragii*. The fact was, that the Jew possessed the *jus honorum* and the *jus suffragii* under the Roman system, though not in the city of Rome. Dr. Arnold confounded the empire and the capital. In the city itself they were, from peculiar circumstances affecting Christians and Jews alike, excluded; but in the provinces, and wherever the Jews were established, they possessed the *jus suffragii* and the *jus honorum.* The Jews were members of the Council of Ten: they were Decurions, and they were Duumvirs in Gaul. In Spain, where the old Roman system had remained without shock down to the present day, and where more especially was the system of Rome to be examined and understood, the Jews maintained their municipal and civil rights, and were magistrates down to the time of Alonzo the 11th and of Peter the Cruel. In England the Jews possessed their rights more particularly as bondsmen of the King, and here also they were in high honour and credit; to them our universities owe their first steps in learning, as indeed did all Europe, who, in recognising its debt in the Saracens, forget that the Jews were the interpreters and the intermediaries between that race and Europe, then sunk in the very night of barbarism. It was only by the antipathies and persecutions that arose out of the consequences of the Crusades that the Jews were excluded from civil and municipal rights in Europe. Thus, in a legal and in an historical point of view, the claims of the Jews stood upon much higher grounds than those which had been assumed in the course of this and former debates. It was well to contrast our own with other systems which we look upon as bigoted and fanatical. Under the Mussulman system the Jew possesses every right which it is intended to concede to him by throwing open to him the doors of Parliament, that is to say, those rights which he possessed under Rome. The Jew was not by the Mussulman admitted to the high honours of the State, or to control over religious matters; just as in Rome the Jew, though a Duumvir or a Decurion, was not a Flamen, or a Haruspex, or a Pater Patratus. Amongst the Mussulmans a Jew might be Minister of State; but he was not admitted into the body of the Doctors of the Law. Under that system the amount of the revenue of the State is fixed, the allocation and the repartition of the taxes being the constitutional part which belonged to the municipal bodies. In this the Jew, as far as he is a ratepayer, possesses control, such control as is equivalent to that exercised legitimately by a Member of that House. The duties of that House had respect chiefly to supply, and the character of that House was strictly representative. They were, in fact, the reunion of the *Communes* of the country; and, whether the majority that returned the Member was Jewish or Christian, equally it was the right of the constituency that was infringed when they told them who was and who was not to be their Member. Originally there was no restriction upon the selection of the Member—in the course of abuse, restriction had arisen. He hoped that the alarm which had been expressed respecting the admission of the Jews would lead to some useful consideration respecting the apprehended danger, from sources not visionary but real; and as he should vote for their admission, not to decide upon the doctrine or discipline of the Church, but to advise the Crown and control the Minister in temporal matters, so did he hope that an assembly constituted as they were exclusively of laymen, in as far as they were Churchmen, and of others that were not Churchmen, and of others known to be not even Christians, that it would be felt incongruous and improper for it any longer to interfere with ecclesiastical affairs; and thus would these apprehensions really be productive of fruit, and the Church, and therein the State, be relieved from the too long endured usurpations of that House of Parliament.

Sir W. VERNER said, he should not detain the House more than a few moments; but upon a Motion of such vast importance as the one now before it, he could not content himself by giving a silent vote. The noble Lord had based his measure on the ground of principle; it was precisely on that ground he (Sir W. Verner) wished to consider it. He entertained no feeling of disrespect towards that portion of his fellow-subjects for whom the claim of eligibility to sit in this House had been advanced; on the contrary, he could affirm that there was not a Member who voted in favour of the noble Lord's Bill more ready than he was to acknowledge the merits and the services of the Jewish people in this country—or of the eminent individual in whose person the question of Parliamentary eligibility was now to be tried. It had been said, in support of the Motion, that every British subject possessed an inborn right to represent, in this House, any constitutency which may return him to it, unless he be incapacitated by some express ground of disqualification; that no such ground can be alleged against the Jewish portion of the people; and that accordingly it was no more than an act of justice to relieve them from the disabilities under which they at present labour. What the rights of man might be, it was not for him to decide; but the constitution had taken upon itself in various instances the office of deciding upon them. It affirmed, denied, and abridged claims of right, as seemed best for the interests of the country: it required that to become a Member of Parliament, a man should be of full age; that he should be exempt from the duties and liabilities of certain offices; that he should be, to a certain extent, independent in his circumstances; that he should not be in holy orders—but that he should be a Christian. Now he (Sir W. Verner) could not but think that this last obligation was not less important, was not less necessary, was not less salutary than any of the others. It was, perhaps, the only obligation in which principle was involved, and the obligation by which we declared ourselves to be members of a Christian State; and he was not ashamed to say he could not but look upon its removal with danger; and for his part he would much sooner contemplate a law which would remove the restrictions which at present render the several cases he had enumerated, ineligible to set in this House, than he could consent to admit into it a people who hold Christianity to be an imposture and a delusion. He could easily understand a law which, in deference to the power of popular opinion, would abolish all restrictions, and pronounce every man, whatever his condition or character might be, eligible to set in Parliament; and it may be, that this is the ultimate object in bringing this measure forward now, as a preliminary step; but he hoped the House would not begin its career of liberalism, or rather the stage upon which it was interesting, by selecting from the various instances of disability which present themselves to it, the one, the only one, which opens the door to the avowed enemies of Christianity. But we are told that this is merely a nominal renunciation of our Christianity as a State. He (Sir W. Verner) could not consent to renounce it even in name. But he denied the assertion that the change was merely nominal: he bebelieved the change to be real—the danger to be real. It had been said that there could not be so many Members of the Jewish profession in Parliament as to cause danger to the State. Who could say how far this might be true? Who can tell how many constituencies may be moved by such arguments as had weight with that of London? Who can tell whether the twenty or thirty thousand Jews of England may not soon have at their command a party in this House strong enough to embarass the progress of legislation, and even to change its course? A great change had already been effected; burgesses of London have been influenced, in defiance of an existing law, to send to Parliament, as their representative, a party whom they knew to be ineligible. Upon what question? The question whether the State is to retain or to renounce its Christian character: with such a spirit and purpose declared out of Parliament, and with such a compact party within, who can take upon him to pronounce that the meditated change may be made without danger? We have been referred to the Clare election for our guide; now what were the circumstances of that election? He would very briefly state them to the House, and leave to hon. Members to judge how far they bore a comparison with the case now before them. In the county Clare, a Roman Catholic constituency chose their leader to represent them in Parliament —a man, be it remembered, professing the same faith as themselves—their brother in religion, whose claims upon them were undisputed, and whose great talents and perseverance in their cause had never been denied; such was the person they elected. He could not imagine that the two cases could be more different; and yet we are told the Clare election was a pattern which we ought to imitate. Upon this bold experiment and its consequences, he (Sir W. Verner) would not have added another word, had we not been told that there can be no danger to the Christian religion or to the Church from the admission of Jews into Parliament; because they must take the same oath Roman Catholics have taken, and give the same assurance that they have given, to do the Church no wrong. He would candidly put it to the House how this assurance has been observed in Ireland; and whether the Protestant Church and the Protestant religion in that country have not suffered great and severe wrong since the passing of the Emancipation Bill in 1829? And what grounds have we for supposing that the experiment now before this House may not prove as injurious to the Church in England as the former experiment had proved to Protestantism in Ireland? He greatly feared that if the irregular and illegal proceeding of the borough of London was to tell upon the Parliament with force enough to make it lay down its Christian character, the effect would be more fatal than many would be willing to admit in diffusing religious indifference throughout the people. It had been asserted by some hon. Members that the feeling of the Jews at the present day was very different from what it had been, and that they did not entertain the same hostility to Christianity which had been ascribed to them. He (Sir W. Verner) wished it was so; but from a speech delivered by a reverend gentleman, before the General Assembly of the Presbyterian Church, held at Belfast on the 6th of July last, a short extract from which he would read to the House, the contrary would be found to be the case. This speech, he would beg to remind the House, was delivered before any intention of bringing forward the present Bill was made known. The Rev. Mr. Graham said—

> "No one in this part of the world can understand the unmitigated hostility the Jews entertain towards Jesus of Nazareth. I fear that, though having witnessed it myself, I shall not be able to convey to you any idea of that intense hatred. You go into the Rabbies' houses, and they will enter complacently into any other conversation; but the moment you begin to speak of that name, the Rabbies take their worst garments and shake them, as much as to say, I shake myself clear of all reference to 'that thing,' as they term the Saviour. This hatred may arise from various sources: first, that there rests in them the effects of that cry of the Jews of old, when they said 'His blood be upon us and our children.' It is a solemn thing to meet with our stranger fellow-men anywhere; it is a still more solemn thing to mix with unconverted men; but to meet with a Jew has something very awful in it, for there you meet with one who still cries out, 'His blood be on me and my children.' You meet with one whom the persecution of all ages has bowed down, and on whom the afflictions of a thousand years have worn the channels of passion deeper and deeper still. In Belfast you meet with many whom you know to be in the gall of bitterness; but when you meet with a Jew, you meet one who at once rejects the cross before which you kneel, and look for pardon. This hatred may arise from another cause. They see in the East no form of Christianity which is not idolatrous. They see men carrying the image of the Virgin Mary through the streets and churches, and putting her above the Son of God himself, and they cannot be convinced that this is not idolatry. And it has so happened that, in all the East, these corrupt churches have succeeded in teaching that the worship of their saints and angels and images stand on the self-same footing with the worship of the Trinity; and hence, the Jews perceiving that we are different from the Oriental Christians, say, you surely do not believe in the Trinity; and thus we have to enter into a subtle argument to break down and trample upon those points of belief which are not founded on the word of God."

LORD D. STUART said the House had now to decide whether they would carry out those principles of toleration which they had already adopted to a certain extent, and which were supported and approved by the great majority of the population of this country; or whether they would regard the opinions of the people with contempt, and refuse to comply with their expressed wishes. The opponents of this measure, previously to the recess in December last, entreated the noble Lord at the head of the Government not to hurry this question forward, but to afford a full opportunity to the country to express an opinion on the subject. Ample time and opportunity had been afforded for such an expression; and what had been the result? The table had been covered with the petitions of the people, praying that the Bill might be passed into a law. Up to the 29th of March there were petitions against the removal of the Jewish disabilities, signed by 56,000 persons; but the petitions for the removal of those disabilities had more than 300,000 signatures. In this latter class were petitions from the corporations of almost every important town in the kingdom; Jedburgh and Sudbury seemed to be the only two on the other side. The petitions against the Bill, too, were got up at "hole and corner meetings;" the parties ventured to call one county meeting, but the assembly determined to petition the other way; the petitions for the Bill were the result of a fair appeal to the public, to show what was the judgment of the country on the question. In fact, there was no subject on which there had been so many petitions to the present Parliament as the number presented in favour of the removal of these disabilities, and of confirming the choice made by the electors of London of a Gentleman of whom it must at least be allowed that great credit was due to him for the respect with which he had treated the House in not pushing his claim in a manner which might perhaps have more advanced his own interests than the course he had pursued. It had been objected that the wealth of the Jews might be exercised in procuring the return of many of their number if they were made eligible for seats in Parliament; then let hon. Gentlemen vote for measures which would render it impossible for wealth to be brought to bear improperly upon elections—the ballot, for instance. It was urged, too, that the proposed measure would unchristianise the country; but how could it unchristianise the country to act upon Christian principles, and "do as we would be done by?" All disabilities for religious opinions were in the nature of persecution; and the Jews felt their exclusion from Parliament to be such. Many confounded the Jews of the present day with the Jews of former times, and were influenced by the statements, proper enough, which they heard at church respecting the crucifiers of our Saviour. But how should we like to suffer for the crimes of those who went before us, 1,800 years ago, or for any crimes we had not ourselves committed? A learned Jewish doctor, a Rabbi, in a lecture delivered lately at Birmingham, avowed that taking the Gospels as authentic histories, written at the time, he considered that Jesus of Nazareth was the victim of fanaticism, combined with jealousy and lust of power, on the part of the Jewish hierarchy. Did hon. Members expect to do any good by refusing to extend to the Jews the privilege they now asked for? Had they ever known persecution to convert any man in reality? Were they not much more likely to convert the Jews by the removal of these odious restrictions than by retaining them? He earnestly trusted that the present measure would pass, for there was evidently a growing feeling in the country, which was participated in by men of piety and reflection, that complete toleration ought to be established in religious matters. The present Bill, he maintained, was recommended at once by sound reason and the principles of the Gospel, besides being in accordance with the feelings of a large and overpowering majority of the country, and therefore he should give it his cordial support.

MR. HORNBY thought it a very important point to be decided on that discussion, viz., whether the country at large would benefit by the admission of Jews into that House, or, in other words, whether that House would better discharge its duty by the introduction of that new element into its composition? In his opinion neither the country nor the House would benefit by the proposed change. Such being the case he denied that there was any injustice or intolerance in refusing the Jews admission into Parliament. There was no more injustice in refusing them admission than in refusing to appoint a candidate to an office for which he was eminently disqualified. All the arguments in favour of the Bill were of a negative character. The noble Lord the Member for London had asked what was the value of a Christian oath when such men as Gibbon and Hume had taken it and held seats in that House, and offices under the Crown? His answer to that was, that the proof of the value of the oath was found in the fact that conscientious Jews refused to take it. If the noble Lord adhered to that argument he must carry it further, and introduce a Motion abolishing oaths altogether —which he presumed the noble Lord was not prepared to do. It was said, also, that they would only have four or five Jews in Parliament. This was by no means certain. He should not be surprised if, before many years elapsed, there were as many as forty or fifty. It was perfectly true that the Jews were a body numerically small as compared to the people of this country; but it was equally true that a large proportion of them possessed enormous wealth; and many of them being men of ambition, there was no doubt that they would sacrifice their wealth to gratify that ambition. He believed that there never had been more intimidation and bribery practised than at the last election for London. He should not be surprised to see four Jews representing London alone before a long time. It had been argued, too, that the Jews had no distinct nationality. This was a mere assertion. The bond of union among the Jews was their peculiar opinions. They were proud of their descent, not from English but from Hebrew parents: their heart's home was in Judea, not in England, nor anywhere else. He would not insinuate anything against the morality of the Jews; but he begged the House to look at their business and occupation, and the disposition which it generated. They were essentially traffickers in money. They were deeply interested in the rates of exchange between different countries, and in the varying state of the funds. He thought the House could not but regard with great apprehension a race of people possessing such extraordinary power coming into close contact with the Legislature and the Executive Government. If this Bill were passed, there was nothing to prevent the Jew rising to the highest offices of State, and becoming Chancellor of the Exchequer, or even Prime Minister; and if so, he could easily imagine that they would endeavour to benefit their own nation by any priority of information which they might be in possession of in virtue of their office. He had another material objection to urge, and that not the least. That House had ecclesiastical as well as civil duties to perform. The hon. Member quoted an extract from a pamphlet by Dr. Whately, Archbishop of Dublin, in which he admitted the anomaly as well as the danger of admitting Jews as members of a body possessing ecclesiastical functions; but held that, because the anomaly was not greater and the danger was less in their case than in the case of the Roman Catholics and Dissenters, therefore he would admit them without hesitation. He admitted the premises of the right rev. Prelate, but he arrived at a directly opposite conclusion. He thought the danger was as great as the anomaly. It was an established principle of the constitution, that the majority in that House was represented by the Prime Minister—who was in fact elected by the majority of that House. The Prime Minister, in virtue of his office, appointed to high offices and benefices in the Church, and that altogether irresponsibly, except as regarded a wish to benefit the party who supported him. So long, therefore, as the Prime Minister discharged duties so solemn and so deeply affecting the consciences of the people and the interests of the Church, so long should he entertain a repugnance to admitting as Members of that House men whose creed made them the professed and pledged enemies of the Church, and who were necessarily desirous of expediting its downfal. He was determined, therefore, to give his decided opposition to a measure which tended to place the Prime Minister of the country in a position so false, so anomalous, and so unconstitutional.

Sir R. H. INGLIS expressed his concurrence with everything which had fallen from the hon. Member who had last addressed the House, and whose speech was remarkable for its manner, its talent, and the principles advocated in it, although the hon. Member took a more general view of the whole question at issue than might have been necessary in considering the proposition of the hon. Member for Shoreham, which was then more immediately before them. But after the speech of the hon. Member for Leicester (Mr. Gardner), which involved almost every conceivable subject, it would be difficult to place limits to the discussion. That hon. Member had described himself as the apostle of toleration; but there were many who, like him, laying claim to a monopoly of that moral attribute, were distinguished for the very contrary tendency, and remarkable for their intolerance. That hon. Member was not content with attacking the Church of England himself, but was anxious to elevate and give power to those who were the Church's enemies. He was not aware whether the hon. Member was then in his place in the House, or he should, perhaps, be disposed to comment at greater length on his speech; but he should then only say that the hon. Member's language and principles appeared to him to be the most intolerant of all the professors of liberality whom he had ever heard. In the absence of the hon. Member, he could not allude further to his speech than to ask if such a speech as that ought to be addressed by a Christian Member to a Christian assembly? [*The hon. Member alluded to, here entered the House.*] He had been stating, with pain and reluctance in the hon. Member's absence, what he would certainly state with less reluctance in his presence, that, after such a speech as he, a Christian, had addressed to a Christian assembly, what, he would ask, might they expect when the Jews were introduced into Parliament? Would not the Church of England be attacked, as well as the common Christianity which they all professed? What guarantee could they have, under such circumstances, against that course being pursued? Therefore he, for one, concurred with the hon. Member for Blackburn (Mr. Hornby), and would not be a party to introducing any new sect into political power which might be inimical to the Established Church or the Christianity of these realms. It was in vain to say that that House had not the concerns of the Church greatly, too greatly, perhaps, in its keeping. And it was because he believed that the Church was as much a part of the constitution of this country as Magna Charta, the Bill of Rights, or any of those other great institutions which were admitted to be component parts of the British constitution, that he could not agree to the introduction of persons into that legislative assembly, who, without any sympathy for our religion, or respect for that to which it was intrusted, would use the power with which they might be invested in laying their hands on the ark of its magnificent and awful law. His hon. Friend the Member for Shoreham had moved that so long as the House of Commons exercised a power of legislating for the Church of England, so long should the Jews cease exercising the elective franchise. He would propose that the Jew should not only be incompetent to be a legislator, but even to elect a lawmaker. His hon. Friend's speech was clear, was logical, was bold; and he entirely agreed with him in the views and principles which he advocated. These were the views which he (Sir R. Inglis) had supported upon the discussion of the claims of the Roman Catholics. But though his hon. Friend maintained his ground on Christian principle and authority, yet he thought it was not essential in every case to test their opinions by a division in that House; however, they were bound to speak out their sentiments boldly and plainly, and therefore he would suggest to his hon. Friend not to press his

Motion to a division. He hoped it would not be considered as compromising any opinion he had formerly expressed when he asked his hon. Friend the Member for Shoreham (Mr. Goring) not to press his Amendment to a formal division. They should reserve their strength, not for isolated details in Committee, but for the great question involved in the Bill itself. No doubt they were bound to make the measure as perfect as they could; and if there was a chance of carrying the Motion of his hon Friend, he should vote for it. But knowing that they must fail in the attempt, he would urge his hon. Friend not to press his Motion to a division. His hon. Friend, as well as those who agreed with him, would have an opportunity of recording their convictions, and would do better to reserve their strength until they came to the third reading of the Bill, when he trusted, if not successful, that in that House, at any rate, whatever the noble Lord the Member for Marylebone might think, it would not appear that those who had opposed the present measure as a measure repugnant to the general feeling and religion of the country, had abated one jot of their zeal and the principles they had formerly expressed; and that they were as prepared as ever to resist to the last a measure which they regarded as unnecessary, and as violating every principle of the Christianity and the constitution of this country.

Mr. ADDERLEY regretted that the hon. Baronet the Member for Oxford had wasted so much time in commenting upon the speech of the hon. Member for Leicester, which could hardly have been heard by any hon. Member in that House without feelings of unmixed disgust. Notwithstanding the assumption of constitutional right which had been put forward so frequently in arguing that question upon broad and general grounds, he maintained that that House, as being composed of the representatives of the nation, had perfect right to exclude from it those whose admission was repugnant to the general feeling of the nation. It might be said that no great expression of feeling had taken place in the country on this subject; but he contended for it that any one who had an opportunity of ascertaining the general popular opinion on the question would agree that it was opposed to the proposed measure. The admission of the Roman Catholics to Parliament was not a case analogous to the present. He did not allege an abstract right on their part, but the national feeling had been manifested in favour of that question. There was, he conceived, always too much of a vague assumption of constitutional right introduced into the discussion of such matters. That assumption often engaged a large number of supporters that might not otherwise be secured. For instance, a considerable number of Protestants had been in favour of the Roman Catholic claims; and so it was now, the Jews had the entire weight of the Government interest enlisted on their behalf. A great deal of indignation had been expressed against the conduct of the Parliament of 1750; but he thought it should have been directed against the conduct of the Government of the time, which had carried a measure before an election that the subsequently-chosen Parliament had repealed. In the time of Cromwell great exertions had been made to remove the disabilities of the Jews, and the Protector had taken all the steps he could to secure their admission to this country; but, after careful consideration, the conclusion had been come to that such was contrary to the constitution and the feelings of this nation. Was it possible to suppose that such a contradictory feeling could exist as a desire to legislate for and consult the interest of this country on the part of a people who looked forward to the hope of regaining another country? When the Jews of Damascus were suffering from the oppression of the Pacha, they appealed to the Rothschilds as citizens of the world. Riches was the only qualification the Jews had; and they were looked upon in such a constituency as that of London as almost a cardinal virtue, therefore he laid no great stress upon the return made by London at the late election.

Amendment withdrawn.

House went into Committee, Mr. Bernal in the chair.

Sir H. WILLOUGHBY moved the addition of the following words:—

> "Or any office in the gift or appointment of Her Majesty, her heirs or successors, to which the appointment or recommendation to any office or preferment whatever in the United Church of England and Ireland, or in the Church of Scotland, may belong."

Having referred to the Acts of Parliament which had admitted the Jews to municipal privileges, the hon. Baronet called upon the hon. and learned Attorney General to state why, the law having excluded Jews from certain offices, he had not carried out that principle in this Bill? The hon. Member, in reference to the arguments respecting Jews being eligible for certain offices, said he had no objection to Baron Rothschild holding the office of a Poor Law Commissioner, or any such office; but he contended that the Jew would be unfit to hold any post which had any connexion with the Church of England. A Jewish Prime Minister, for instance, would be an absurdity, because it was the duty of the Prime Minister to nominate the dignitaries of the Church. The noble Lord (Lord J. Russell) no doubt felt that there was a serious responsibility in the appointment of a bishop, and that great caution and discretion were necessary; and would the noble Lord then consent to place that power in Jewish hands? It would, in his opinion, never be known what were the real difficulties of a separation between Church and State until it were tried; and it was in order to lessen the probabilities of any such disastrous event, that he proposed the Amendment of which he had given notice.

Sir J. WALSH, in seconding the Motion, hoped that the hon. Baronet would not readily be persuaded not to press his Amendment to a division, as it appeared to him a point which might be fairly submitted to such a test. The hon. Baronet had brought forward a case, not founded upon a contingency of mere possibility, but upon an event which might be fairly anticipated. If all that they had heard of Jewish genius and Jewish intellect were true, he saw nothing more probable than that the House might see a Jewish Premier seated in the place so worthily at that moment occupied by the noble Lord upon the bench opposite. It was therefore incumbent upon the House to exercise a small degree of foresight as to what would be the result of a Jew holding such a position. He supposed that it would be met with the same ingenious arguments by which it had been attempted to get rid of the old maxim, that Christianity was part of the law of the land. It had been said that that maxim had no real foundation; but he thought the hon. Member's question touching the Premiership showed how completely Christianity was interwoven with all the laws and institutions of this realm. Not a single step could be taken without disturbing all the machinery of the constitution, if the step trenched upon its Christianity. He would not detain the House upon the general question; but let them for a moment reverse the case. Suppose the Archbishop of Canterbury was called on to appoint all the Rabbies—what an outcry that would create—what a persecution and an injury such an interference would justly be called! And yet the principle involved in this Bill levied the same injury and the same interference against the Protestant Church. It was on these grounds that he strongly supported the Amendment.

The ATTORNEY GENERAL said, that the clause was taken from the 10th of George IV., and he thought there was a misunderstanding on the part of the hon. Baronet as to its meaning. The hon. Baronet presumed that the Jews could not at this time hold ecclesiastical patronage, and his Motion was to prevent that power being conferred by the present Bill for the first time; but the fact was, that a Jew might now enjoy ecclesiastical patronage, and, what was more, was now in the constant enjoyment of such patronage. The point had been put beyond a doubt by a decision of Lord Eldon. If the Amendment, therefore, were adopted, it would not be resisting an innovation, but it would show a disposition on the part of the Committee not to allow the Jews to hold a power which by law they now held.

Mr. BANKES was not bound by the 10th George IV., as he had voted against it; and he also repudiated the idea that the national religion was not Christianity. He asserted that the Government itself had given grounds for the Amendment now proposed, when they said that certain officers, because they have ecclesiastical patronage, shall be excluded from the Bill. The regency of the kingdom and the Lord Lieutenancy of Ireland were not only excluded from the Bill, but beyond that the Keepership of the Great Seal could not be held by a Jew—not because he was incapable of administering the law, or of understanding our jurisprudence, but because the Lord Chancellor has at his disposal ecclesiastical patronage. Why did they not also exclude the Chancellorship of the Duchy of Lancaster, for, although the value was unequal, the principle was the same. Why not exclude the President of the Board of Control, who appointed to ecclesiastical situations of the greatest importance in India—a country where so many religions prevailed, and where it was wished to give the preponderance to that they believed to be the right one? Why not also exclude the Colonial Secretary, who dispensed Church patronage in the colonies? All these were upon the same footing as the Lord Chancellor of England; and it was no answer to him to say that it was not in the 10th of George IV. He did not think that Bill the pattern of perfection; and when a new measure was proposed he did not think such a precedent was any great recommendation. He thought it so bad that he could never be a party to any similar measure; and as he had opposed the first measure, so now he felt bound to oppose that which was framed upon it. He should, therefore, vote for the Amendment.

Mr. REYNOLDS objected to the Bill because it did not go far enough. Clause 6 excluded Jews from certain offices; he objected to any such exclusion, and particularly to that which related to the Lord Chancellorship of Ireland. He wished to know, and he hoped the supporters of this clause would give a clear and explicit answer, why Jews were excluded from the Lord Chancellorship of Ireland? He asked the right hon. Baronet the Member for Tamworth why, when he drew up the Catholic Emancipation Bill, men of his faith had been excluded? He had asked that question of first-rate lawyers, and had been told it was because the Lord Chancellor of Ireland had patronage in the Protestant Church. That was the answer he invariably got; but it was founded upon an error. The Lord Chancellor of England was, he believed, the patron of 800 livings; but the Lord Chancellor of Ireland had not one. Having committed this injustice upon Roman Catholics, was the House prepared to endorse that injustice on the back of the Jew? If this clause were carried it would form a justification for the exclusion of Roman Catholics for ever from the office of Lord Chancellor of Ireland. On that ground, therefore, he should move that the words "the Lord Chancellor of Ireland" be omitted altogether.

The CHAIRMAN: The hon. Member is too late.

Lord J. RUSSELL said, that the clause had undoubtedly been framed upon the provisions of an Act now in force, and which it was therefore fairly presumed would again meet the sanction of Parliament. In that Act there was no clause preventing any Roman Catholic from holding office, or recommending persons to the Crown for ecclesiastical preferment. It appeared to him there was no office which had a right by virtue of that office to recommend to certain ecclesiastical preferment. The Lord Chancellor had patronage absolutely in his own office; but there was no office that had a power of recommending. With regard to the highest ecclesiastical offices, those of Archbishop and Bishop, that had varied according to the circumstances of the times. In George II.'s reign, the Secretary of State exercised the power of recommending, and at another time the Lord Privy Seal had nominated the bishops. He thought, therefore, that the words proposed to be inserted would not answer the purpose intended by the hon. Baronet, and that the clause as it stood was sufficiently stringent.

The Committee divided on the question that the words be inserted:—Ayes 99; Noes 196: Majority 97.

List of the Ayes.

Adderley, C. B.
Alexander, N.
Archdall, Capt. M.
Baldock, E. H.
Bankes, G.
Bennet, P.
Bentinck, Lord G.
Beresford, W.
Bolling, W.
Brackley, Visct.
Bremridge, R.
Brisco, M.
Broadley, H.
Brown, H.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, W. M.
Cabbell, B. B.
Carew, W. H. P.
Christy, S.
Clive, H. B.
Cobbold, J. C.
Codrington, Sir W.
Coles, H. B.
Cotton, hon. W. H. S.
Cripps, W.
Currie, H.
Davies, D. A. S.
Deedes, W.
Dick, Q.
Dod, J. W.
Duncombe, hon. O.
Du Pre, C. G.
East, Sir J. B.
Farrer, J.
Fellowes, E.
Filmer, Sir E.
Floyer, J.
Fox, S. W. L.
Fuller, A. E.
Gaskell, J. M.
Goddard, A. L.
Grogan, E.
Gwyn, H.
Haggitt, F. R.
Hervey, Lord A.
Hildyard, R. C.
Hildyard, T. B. T.
Hope, Sir J.
Hope, A.
Hornby, J.
Hotham, Lord
Ingestre, Visct.
Inglis, Sir R. H.
Jones, Capt.
Knightley, Sir C.
Knox, Col.
Law, hon. C. E.
Lockhart, A. E.
Lockhart, W.
Lowther, H.
Mackenzie, W. F.
M'Naghten, Sir E.
Manners, Lord C. S.
March, Earl of
Miles, W.
Morgan, O.
Mundy, E. M.
Napier, J.
Newdegate, C. N.
Ossulston, Lord
Palmer, R.
Plumptre, J. P.
Plowden, W. H. C.
Prime, R.
Repton, G. W. J.
Richards, R.
Rushout, Capt.
Sandars, G.
Scott, hon. F.
Seymer, H. K.
Shirley, E. J.
Sibthorp, Col.
Smyth, J. G.
Somerset, Capt.
Spooner, R.
Stuart, J.
Thesiger, Sir F.
Tollemache, J.
Trollope, Sir J.
Turner, G. J.
Urquhart, D.
Verner, Sir W.

Vivian, J. E.
Vyse, R. H. R. H.
Waddington, H. S.
Walpole, S. H.
Williams, T. P.

TELLERS.

Walsh, Sir J.
Willoughby, Sir H.

List of the NOES.

Abdy, T. N.
Acland, Sir T. D.
Adair, H. E.
Aglionby, H. A.
Alcock, T.
Anderson, A.
Anson, Visct.
Anstey, T. C.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagshaw, J.
Baring, hon. W. B.
Barnard, E. G.
Barron, Sir H. W.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. G. F.
Birch, Sir T. B.
Blackall, S. W.
Blewitt, R. J.
Bouverie, hon. E. P.
Bowring, Dr.
Boyle, hon. Col.
Bright, J.
Brockman, E. D.
Brotherton, J.
Buller, C.
Busfeild, W.
Buxton, Sir E. N.
Cardwell, E.
Carter, J. B.
Clay, J.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Cobden, R.
Colebrooke, Sir T. E.
Craig, W. G.
Crawford, W. S.
Dashwood, G. H.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Devereux, J. T.
D'Eyncourt, rt. hon. C. T.
Disraeli, B.
Duff, G. S.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Elliot, hon. J. E.
Evans, Sir De L.
Evans, W.
Fagan, W.
Fergus, J.
Ferguson, Col.
Ferguson, Sir R. A.
Foley, J. H. H.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gardner, R.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Hall, Sir B.
Hardcastle, J. A.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcoat, J.
Henry, A.
Hindley, C.
Hodges, T. L.
Hodges, T. T.
Hume, J.
Hutt, W.
Jackson, W.
Jervis, Sir J.
Johnstone, Sir J.
Keogh, W.
Keppel, hon. G. T.
Kershaw, J.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Lewis, G. C.
Lincoln, Earl of
Locke, J.
Macnamara, Maj.
M'Cullagh, W. T.
M'Gregor, J.
Meagher, T.
Mangles, R. D.
Marshall, W.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Morpeth, Visct.
Morison, Gen.
Morris, D.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Muntz, G. F.
Norreys, Sir D. J.
Nugent, Sir P.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Owen, Sir J.
Paget, Lord A.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Pattison, J.
Pearson, C.
Peel, rt. hon. Sir R.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Power, Dr.
Power, N.
Price, Sir R.
Raphael, A.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Sadleir, J.
Scholefield, W.
Scully, F.
Seymour, Sir H.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Slaney, R. A.
Smith, J. A.
Smith, J. B.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Stuart, Lord D.
Sullivan, M.
Sutton, J. H. M.
Talbot, C. R. M.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Townley, R. G.
Townshend, Capt.
Vane, Lord, H.
Verney, Sir H.
Vivian, J. H.
Wakley, T.
Wall, C. B.
Walmsley, Sir J.
Ward, H. G.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wyld, J.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

SIR R. H. INGLIS then moved that at the end of Section 6, the following words should be added—

"or Judge of any of Her Majesty's Courts of Law, or Members of Her Majesty's Most Honourable Privy Council."

The Committee again divided on the question that these words be added:—Ayes 109; Noes 203: Majority 94.

List of the AYES.

Adderley, C. B.
Alexander, N.
Archdall, Capt. M.
Baldock, E. H.
Bankes, G.
Bateson, T.
Bennet, P.
Beresford, W.
Boldero, H. G.
Bolling, W.
Brackley, Visct.
Bremridge, R.
Brisco, M.
Broadley, H.
Brooke, Lord
Brown, H.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, W. M.
Cabbell, B. B.
Campbell, hon. W. F.
Carew, W. H. P.
Chichester, Lord J. L.
Christy, S.
Clive, H. B.
Cobbold, J. C.
Codrington, Sir W.
Coles, H. B.
Cotton, hon. W. H. S.
Courtenay, Lord
Cripps, W.
Davies, D. A. S.
Deedes, W.
Dick, Q.
Dod, J. W.
Duncombe, hon. O.
Du Pre, C. G.
East, Sir J. B.
Egerton, Sir P.
Farrer, J.
Fellowes, E.
Filmer, Sir E.
Floyer, J.
Forbes, W.
Fox, S. W. L.
Fuller, A. E.
Goddard, A. L.
Goring, C.
Grogan, E.
Gywn, H.
Haggitt, F. R.

Hall, Col.
Heald, J.
Hervey, Lord A.
Hildyard, R. C.
Hildyard, T. B. T.
Hope, Sir J.
Hope, A.
Hornby, J.
Hotham, Lord
Ingestre, Visct.
Inglis, Sir R. H.
Jones, Sir W.
Jones, Capt.
Knightley, Sir C.
Knox, Col.
Lindsay, hon. Col.
Lockhart, A. E.
Lockhart, W.
Lowther, H.
Mackenzie, W. F.
M'Naghten, Sir E.
Manners, Lord C. S.
March, Earl of
Maxwell, hon. J. P.
Meux, Sir H.
Morgan, O.
Mundy, E. M.
Napier, J.
Newdegate, C. N.
Ossulston, Lord
Plumptre, J. P.
Plowden, W. H. C.
Prime, R.
Raphael, A.
Renton, J. C.
Richards, R.
Rushout, Capt.
Scott, hon. F.
Seymer, H. K.
Shirley, E. J.
Smyth, J. G.
Smollett, A.
Somerset, Capt.
Spooner, R.
Stafford, A.
Stuart, J.
Thesiger, Sir F.
Tollemache, J.
Trollope, Sir J.
Turner, G. J.
Urquhart, D.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
Willoughby, Sir H.

TELLERS.

Law, hon. C. E.
Sibthorp, Col.

List of the Noes.

Abdy, T. N.
Adair, H. E.
Aglionby, H. A.
Anderson, A.
Anson, hon. Col.
Anson, Visct.
Anstey, T. C.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagshaw, J.
Baring, hon. W. B.
Barnard, E. G.
Barron, Sir H. W.
Bellew, R. M.
Bentinck, Lord G.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Birch, Sir T. B.
Blackall, S. W.
Blewett, R. J.
Bouverie, hon. E. P.
Bowring, Dr.
Boyle, hon. Col.
Bright, J.
Brockman, E. D.
Brotherton, J.
Buller, C.
Busfeild, W.
Callaghan, D.
Cardwell, E.
Carter, J. B.
Cayley, E. S.
Cholmeley, Sir M.
Clay, J.
Clay, Sir W.
Clerk, right hon. Sir G.
Cobden, R.
Colebrooke, Sir T. E.
Craig, W. G.
Crawford, W. S.
Dashwood, G. H.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Devereux, J. T.
D'Eyncourt, rt. hn. C. T.
Disraeli, B.
Duff, G. S.
Duke, Sir, J.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Ellice, rt. hon. E.
Elliot, hon. J. E.
Evans, W.
Fagan, W.
Ferguson, Col.
Ferguson, Sir R. A.
Foley, J. H. H.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gardner, R.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Glyn, G. C.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Hall, Sir B.
Hamilton, Lord C.
Hardcastle, J. A.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcoat, J.
Henry, A.
Hindley, C.
Hobhouse, T. B.
Hodges, T. L.
Howard, hon. C. W. G.
Hume, J.
Hutt, W.
Jackson, W.
Jervis, Sir J.
Johnstone, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Lewis, G. C.
Lincoln, Earl of
Locke, J.
Macnamara, Maj.
M'Cullagh, W. T.
M'Gregor, J.
Meagher, T.
Mangles, R. D.
Marshall, W.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Morpeth, Visct.
Morison, Gen.
Morris, D.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Muntz, G. F.
Norreys, Sir D. J.
Nugent, Sir P.
O'Connell, M. J.
Ogle, S. C. H.
Owen, Sir J.
Paget, Lord A.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Pattison, J.
Pearson, C.
Peel, right hon. Sir R.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Power, Dr.
Power, N.
Price, Sir R.
Rawdon, Col.
Repton, G. W. J.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Scholefield, W.
Scully, F.
Seymour, Sir H.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Slaney, R. A.
Smith, J. A.
Smith, J. B.
Somerville, rt. hn. Sir W.
Stanley, hon. E. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Stuart, Lord D.
Sullivan, M.
Sutton, J. H. M.
Talbot, C. R. M.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Townley, R. G.
Townshend, Capt.
Traill, G.
Trelawny, J. S.
Vane, Lord H.
Verney, Sir H.
Vivian, J. H.
Wakley, T.
Walmsley, Sir J.
Ward, H. G.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

Clause agreed to.
Bill went through Committee.
House resumed. Bill reported.

ELECTION RECOGNISANCES BILL.

On the question that the Election Recognisances Bill be read a Third Time, Mr. ELLIOT moved as an Amendment that it be read a third time that day six months.

Mr. WAWN seconded the Amendment.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes 118; Noes 74: Majority 44.

List of the Ayes.

Adderley, C. B.
Alexander, N.
Anderson, A.
Anstey, T. C.
Armstrong, Sir A.
Bagot, hon. W.
Baillie, H. J.
Bankes, G.
Bentinck, Lord G.
Beresford, W.
Berkeley, hon. G. F.
Boldero, H. G.
Boyle, hon. Col.
Brackley, Visct.
Bremridge, R.
Bright, J.
Brooke, Lord
Bruce, C. L. C.
Bunbury, W. M.
Callaghan, D.
Chichester, Lord J. L.
Christy, S.
Clay, J.
Cobbold, J. C.
Cobden, R.
Codrington, Sir W.
Cotton, hon. W. H. S.
Crawford, W. S.
Cripps, W.
Davies, D. A. S.
Devereux, J. T.
Disraeli, B.
Duncombe, hon. O.
Dundas, G.
Dunne, F. P.
Farrer, J.
Fellowes, E.
Floyer, J.
Foley, J. H. H.
Forbes, W.
Fox, R. M.
Fuller, A. E.
Gardner, R.
Gore, W. R. O.
Greene, J.
Grey, R. W.
Grogan, E.
Gwyn, H.
Hall, Col.
Headlam, T. E.
Hervey, Lord A.
Hildyard, R. C.
Hildyard, T. B. T.
Hope, Sir J.
Hudson, G.
Ingestre, Visct.
Jackson, W.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Keogh, W.
Kershaw, J.
Knox, Col.
Law, hon. C. E.
Lindsay, hon. Col.
Littleton, hon. E. R.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Lowther, H.
March, Earl of
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Mundy, E. M.
Muntz, G. F.
Newdegate, C. N.
Nugent, Sir P.
Ossulston, Lord
Paget, Lord A.
Pearson, C.
Peto, S. M.
Pilkington, J.
Plumptre, J. P.
Power, Dr.
Power, N.
Raphael, A.
Renton, J. C.
Reynolds, J.
Rufford, F.
Sandars, G.
Scholefield, W.
Sheil, rt. hon. R. L.
Sibthorp, Col.
Simeon, J.
Smith, J. B.
Smyth, J. G.
Smollett, A.
Somerset, Capt.
Somerville, rt. hn. Sir W.
Spooner, R.
Stafford, A.
Sullivan, M.
Sutton, J. H. M.
Thesiger, Sir F.
Thompson, Col.
Tollemache, J.
Turner, G. J.
Urquhart, D.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, H. S.
Wakley, T.
Walmsley, Sir J.
Westhead, J. P.
Williams, J.
Willoughby, Sir H.
Wilson, M.
Wyld, J.

TELLERS.
Wortley, rt. hon. J. S.
Mackenzie, W. F.

List of the Noes.

Adair, H. E.
Bailey, J.
Bellew, R. M.
Bernal, R.
Bouverie, hon. E. P.
Bowring, Dr.
Brotherton, J.
Buller, C.
Cabbell, B. B.
Cardwell, E.
Carter, J. B.
Clerk, rt. hon. Sir G.
Coles, H. B.
Craig, W. G.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Douglas, Sir C. E.
Duncan, Visct.
Duncan, G.
Ebrington, Visct.
Evans, W.
Ferguson, Sir R. A.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Gaskell, J. M.
Graham, rt. hon. Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Hastie, A.
Hastie, A.
Hawes, B.
Hayter, W. G.
Henry, A.
Hill, Lord M.
Hobhouse, T. B.
Hume, J.
Jervis, Sir J.
Lewis, G. C.
Lincoln, Earl of
M'Gregor, J.
Marshall, W.
Mitchell, T. A.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Napier, J.
Norreys, Sir D. J.
O'Connell, M. J.
Ogle, S. C. H.
Palmerston, Visct.
Parker, J.
Philips, Sir G. R.
Price, Sir R.
Rawdon, Col.
Rice, E. R.
Rich, H.
Rutherfurd, A.
Seymer, H. K.
Seymour, Sir H.
Smith, M. T.
Stanton, W. H.
Stuart, Lord D.
Talbot, C. R. M.
Thicknesse, R. A.
Thornely, T.
Townshend, Capt.
Trelawny, J. S.
Tufnell, H.
Ward, H. G.
Wawn, J. T.
Willcox, B. M.
Wood, W. P.
Wyvill, M.

TELLERS.
Elliot, hon. J. E.
Hall, Sir B.

Bill read a third time and passed.

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, April 4, 1848.

Minutes.] *Took the Oaths.*—The Lord Heytesbury.

Public Bills.—1^{a} Provident Associations Fraud Prevention.—Election Recognisances.

2^{a} Stamp Duties Assimilation.

Petitions Presented. From Sunderland, Exeter, and Leamington, for Exemption of Charitable Bequests from Legacy Duties.—From Buttevant, and several other Places, against the National System of Education (Ireland).—From Ayot, St. Lawrence, and Birmingham, for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From Royston and Barley, against the Diplomatic Relations, Court of Rome, Bill.—From Loughrea, and several other Places, for a Revision of the Electoral Divisions (Ireland).—From Newry, for the Appointment of a Select Committee, to Inquire into the Policy of a Continuance of the Navigation Laws.—From Alloa, Glasgow, and Leith, for the Maintenance of the Navigation Laws.—From the Mullingar Union, and Westmeath, for Amendment of the Poor Law, Ireland.—From the Borough of Limerick, for the Abolition of Ministers' Money, and to Substitute an Equivalent.—From Wexford, for the Establishment of Tenant Right (Ireland).—From Members of several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From the Inhabitants of Colombo, complaining of the Existing Law relating to Verandahs.—From Nairn, for the Revision of the Stamp Duties (Scotland); and the Abolition of the Duty on Personal Succession.—From the same Place, for an Alteration in the Laws respecting Prisons (Scotland), with regard to the Mode of Assessment.—From the same Place, for Facilitating the Attainment of Sites for Churches.—From Leamington Priors, against the Increase and Continuance of the Income Tax.—From Coventry, against the Admission of Jews into Parliament.

TENANT-RIGHT.

The MARQUESS of LONDONDERRY, in presenting a petition from tenant-farmers of Wexford, in favour of tenant-right, said, that a large body of tenant-farmers, living in a county certainly unknown to him, having appealed to him to present the petition, he did not think he could decline the duty, though he had informed them distinctly that he could not advocate the whole purpose of the petition. An ardent advocate for what he understood as the tenant's right, it was not surprising the petition had been confided to him. After alluding to the Bill brought in on the subject under the last Administration, and that proposed by Mr. S. Crawford, the noble Marquess proceeded to observe that the Government Bill had met the decided disapprobation of all parties and persons in the north of Ireland. Even Mr. S. Crawford tore it to pieces. If ever it passed into a law, he (the Marquess of Londonderry) trusted it would be a complete dead letter in Ulster; but should it come to that House, he should move a proviso saving existing customs. According to the tenant-right in Ulster, if a tenant wished to sell his holding, whether there was a lease or no lease, provided he brought a competent successor for the approbation of the landlord or agent, the sale took place. No inquiry was made as to the bargain between man and man. If the party purchasing was not in the landlord's mind eligible, he gave his veto, and another candidate might be produced. If no purchaser was brought forward, and the tenant desired to quit, or if no rent was paid, or misconduct occurred, the landlord, at a valuation open to the opinions of all on the estate, gave full compensation for outlay, and got another tenant. In all this there was no compulsion. If any measure could really be devised to ameliorate the relations between landlord and tenant, he should certainly not oppose it. But he could not go the length of the petition, which prayed that tenants should have power to sell possession of their holdings by their own free will to the highest bidders, under a guarantee that the rents should not be raised, except at a valuation by them. He could not, in justice to his own feelings, conclude without expressing his humble but unqualified approbation of the manner in which the noble Lord at the head of the Government in Ireland had conducted the arduous and difficult administration of that country. To say nothing of his personal exertions, a rare example of prudence, firmness, and wisdom had been presented in all his proceedings. The noble Lord had allowed all the bravado to pass; he had allowed the alarm as to attacks on St. Patrick's day, and the terrors and the threats which had been held out, to take their course. When the declamation of Mr. Mitchell and hisa dherents had vanished into thin air, the noble Lord quietly and firmly put his hand on the delinquents, and vindicated the majesty of the law. There were, no doubt, great alarms; he (the Marquess of Londonderry) hoped great exaggerations. He had full confidence in the noble Lord's firmness, and in the brave soldiery, should their services unfortunately be required. But he considered the people of Ireland sound to the core. It was by misery and destitution, not by civil war or bloodshed, that he feared they would be cursed.

CEYLON.

LORD BEAUMONT presented a petition from the inhabitants of Colombo, in the island of Ceylon, complaining of a gross interference with the rights of property on the part of the Ceylon Government. The noble Lord observed that nearly all the houses in Ceylon had verandahs before them, the greater part of which had been standing from time immemorial, few of them having been erected within the last sixty years. From their position there was no doubt that in the narrow streets of Colombo they were impediments to the passing of carriages; and in consequence of this, an order was issued by the Government in 1846 that these verandahs should be destroyed, but without giving their owners any compensation; while in the wide streets, where they were no impediment, the people were compelled to pay from 2*s.* to 2*s.* 6*d.* a foot for them, besides being put to a heavy expense for title-deeds. This was done on the ground that they were erected on the property of the Crown, though it was alleged that in all previous cases where these verandahs had been removed, compensation had been given. A proposal had been made by the inhabitants that all verandahs erected within ten years should be destroyed, but that those of longer standing should have compensation given for them. This was not acceded to, however, and the petitioners now asked for justice from that House. Many of the persons affected were very poor, and severely felt the pressure of the Government measures.

EARL GREY said, there could be no doubt whatever that these verandahs were encroachments upon the narrow streets of Colombo, and therefore, in 1844, an ordinance was first issued by the Government, calling upon the occupiers to show that they had any right to the ground on which they were built. In the cases where parties proved their right, compensation was given; and in those cases where the verandahs were sold, the proceeds of the sale went for the general benefit of the island. He believed that in no case had the Government interfered without a full right to do so, and that there was no doubt that the object was the removal of what was felt to be a great nuisance. In his opinion, therefore, there was no case for the interference of the House.

House adjourned.

HOUSE OF COMMONS,

Tuesday, April 4, 1848.

MINUTES.] NEW MEMBER SWORN.—For Harwich, Right Hon. Sir John Cam Hobhouse, Bt.

PUBLIC BILLS.—1° Marine Mutiny.—Mutiny.
2° Kilcullen Bridge Road (No. 2).

PETITIONS PRESENTED. By Viscount Morpeth, from several Places, in favour of the Public Health Bill.—By Lord G. Bentinck, from King's Lynn, against Allowing Railway Companies to own Steam Vessels.—By Mr. Bagshaw, from Great Yarmouth, against the Great Yarmouth Disfranchisement Bill.—By Mr. Brotherton, from Kidderminster, for Better Observance of the Lord's Day.—By Mr. Plumptre, from Tonbridge Wells, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Sir William Codrington, from Amberly, and its Vicinity (Gloucester), against the Roman Catholic Relief Bill.—By Mr. George Thompson, from the Belfast Anti-Slavery Society, against the Present Scheme of African Emigration.—By Mr. Plumptre, from Jamaica, requesting the House to take the State of the West India Colonies into Consideration.—By Lord George Bentinck, from King's Lynn, and by Mr. Fitzwilliam, from Peterborough, for a Repeal of the Duty on Attorneys' Certificates.—By Mr. Adderley, from Wolverhampton, and by Mr. Alexander Hope, from Maidstone, for the Exemption of Charitable Bequests from the Legacy Duties.—By Mr. Hodges, from several Lodges of the Independent Order of Odd Fellows, for Extension of the Benefit Societies Act.—By Mr. Muntz, from Birmingham, against Discharge of Order (Court of Chancery).—By Mr. George Thompson, from Peckham, praying the House to take the Cotton Trade into Consideration.—By Mr. Cowan, from Canisby (Scotland), and by several Hon. Members, from various Places, against the Diplomatic Relations, Court of Rome, Bill.—By Mr. P. Bennet, from Southery (Norfolk), for Making Owners of Dogs Liable for Injuries they may Commit.—By Mr. William Miles, from Curry Rivell (Somerset), for Alteration of the Law of Education.—By Mr. Young, from Kinawley (Kilmore), for Encouragement to Schools in Connexion witht he Church Education Society (Ireland).—By Mr. Hardcastle, from Colchester, for Alteration of the Factories Act.—From Newcastle-upon-Tyne, for a Free Pardon for Frost, Williams, and Jones.—By Mr. Tennent, from Malone (Antrim), against the Landlord and Tenant (Ireland) Bill.—By Mr. Grantley Berkeley, from Westbury-on-Severn (Gloucestershire), for Alteration of the Law respecting Mendicants.—By Viscount Ingestre, from Exeter, and various other Places, against a Repeal of the Navigation Laws.—From the Grand Jury of Cavan, for Alteration of the Poor Law (Ireland).—By Mr. Adderley, from Masters and Matrons of various Workhouses, for a Superannuation Fund for Poor Law Officers.—By Mr. Mackinnon, from Marylebone, and by Mr. Spearman, from a Great Number of Working People, in favour of the Public Health Bill.

IRELAND—THE "NATION" NEWSPAPER.

MR. BAILLIE COCHRANE wished to ask the right hon. Gentleman the Secretary for Ireland whether his attention had been called to the following paragraph, which appeared in the last number of the *Nation* newspaper, published in that country, and, if so, whether it was the intention of the Government to proceed against the editor of that paper? The paragraph was this:—

> "Ireland's necessity demands the desperate remedy of revolution—it demands, and will justify before God and all men really made in His image, this last resource of nations long oppressed. A revolution means a peaceful or a violent uprooting of a Government, or an upsetting of society; its business is to cure the evils it cannot endure—to cure them with as little loss of blood and time as the means of the revolutionists and the nature of the opposition against them may allow. The Continental nations all had their grievances; but ours are immeasurably greater—they sought the right of meeting, but we seek the right of existence—they sought liberty of the press, but we seek liberty to live—the real alternative with Ireland is decimation or revolution. It is evident to all men that our foreign Government is but a club of gravediggers; they foster poverty and protect pestilence; fever, taxation, exile, death, all arise from their felonious taking away of our means of life; we are decimated not by the will of God, but by the will of the Whigs; obedience to a Government which rules to rob and legislates to destroy is a high crime—alliance with it is a conspiracy against the nation—votes of confidence in such Governments are death warrants—keeping order for them is doing undertakers' work—aiding them in the administration of the law is finishing off without accusation or trial fresh myriads of our doomed population."

Mr. Duffy, who was the editor of that paper, was guilty, he thought, of holding most treasonable language in that paragraph.

SIR W. SOMERVILLE had not seen

the extract to which the hon. Member referred, and the hon. Member's perusal of it was the first notice of it which he had received; but he had been for some time in the habit of reading in productions from Ireland language equally extravagant. Of course he was not able to state what the intention of the Government with respect to the paragraph in question was; but no doubt the attention of the Lord Lieutenant had been called to it: he believed everything would be left in his hands, and that he would take such steps respecting it as he thought proper.

THE CASE OF MR. ST. GEORGE.

MR. ST. GEORGE intreated the indulgence of the House in rising to offer some explanation in a matter personal to himself. It would be in the remembrance of hon. Gentlemen, that some short time ago certain charges were made against him of having illegally and inhumanly carried out extensive ejectments against a great number of poor persons on his estate in Galway. Some surprise had been expressed that he had not at once replied to these allegations; but the explanation he had to give of his silence was, that he had left London on the 8th of March to attend the Galway assizes—that he had not been until very recently aware of his name having occupied a place in the blue book which had been quoted from—and that it was not until the 26th of March any communication upon this subject was received by him from the Government. The statement of the right hon. Baronet (Sir G. Grey) in the House, referring to his case, had been made previous to the correspondence which had taken place between him and the Irish Government. He felt indebted to the hon. Member for Stroud (Mr. P. Scrope) for having brought the facts before the House; and he trusted that he should be able to satisfy every one that his conduct had been misunderstood and misrepresented. On the 25th of March he received from Mr. Redington, the Under Secretary for Ireland, a letter drawing his attention to the report of the Poor Law Commissioners respecting the ejectments in the Galway union, and requesting to know if he was desirous of making any observations to the Government on that document? He replied on the 28th of March, and took the opportunity of complaining of the partiality evinced by the Poor Law Commissioner in not having referred to him for information before inserting in the report statements copied from a Galway newspaper, which, for the most part, were altogether unfounded. He explained why he had not been present in his place in the House of Commons to rebut any aspersion which might be cast upon his character by pretended Irish philanthropists, and for the information of his Excellency the Lord Lieutenant—whose courtesy he acknowledged—he narrated all that he himself knew or had been able to ascertain, relating to the matters investigated by Major M'Kie. The statement which he made was this:—

"Mesdames Jane O'Flaherty and E. O'Shaunessy in the year 1836 obtained from my father, the late Arthur F. St. George, a lease of the districts of Lettermore, Garumna, and other denominations of land thereto appertaining, at the yearly rent of 837*l.* 5*s.* 4*d.*, and 20*l.* turf duty. On the 1st of May, 1847, there being unpaid to me by the aforesaid persons 1,255*l.* 18*s.*, I was obliged to bring in Easter Term, 1847, against the premises ejectments for non-payment of this, to me, very considerable sum of money. Every person living on or at all interested in those lands was served with copies of ejectments. At least 600 householders were served on the 16th, 17th, 18th, and 19th of last May; and in Trinity Term following I obtained judgment in ejectment, and thereby was concluded the entire interest of Mesdames O'Flaherty and O'Shaunessy, and the several tenants, to the full extent that, until the sum of 1,255*l.* 18*s.*, and all accruing rent and costs of ejectments were paid, the lessees or their tenants were not entitled to reside on or in any degree to enjoy the possession of the premises. Besides the sum of 1,255*l.* 18*s.*, and 65*l.* costs at law, and 30*l.* turf duty owed, I was obliged to pay Mrs. O'Flaherty 150*l.*, in order to obtain immediate possession of my property. The aggregate quantity of money due to me and expended for recovery of my estate, amounted to 1,500*l.* 18*s.* On the 25th of last August I proceeded to Lettermore and Garumna. I inquired into the circumstances of the tenantry. I found their condition indeed bad, arising from the neglect of the Mesdames O'Flaherty and O'Shaunessy. I discovered in those districts persons residing, who, the outcasts from other estates, had come from all parts of Ireland, chiefly pending the litigation between me and the Mesdames O'Flaherty and O'Shaunessy. I was informed by the more respectable portion of the tenantry, and by the priest, the Rev. Mr. Horan, that nothing could exceed the depredations of the persons termed 'squatters.' A flock of upwards of 800 sheep existed amongst the tenants; not one now remains. Many cows have been killed and carried off. I informed the tenantry that 1,500*l.* was due to me off the lands of Lettermore. I investigated their accounts, and found they owed Mrs. O'Flaherty and Mrs. O'Shaunessy as much money as was due to me. I inquired of them how they were disposed to act towards me? I stated to them that I had the full ability of dispossessing them all. They entreated me not to do so. I considered their sad position, and at length informed them, that if I was paid 400*l.* within three months I would remit 1,100*l.* The tenants and the priest considered my offer most liberal. The tenants informed me they would pay me 400*l.* provided I got rid of the squatters and all bad characters. I engaged to them to do so. I have now to say I have not as yet received 400*l.*, as promised me. On the 30th of September last, and two or three days subsequently, the deputy-sheriff of the county of Galway was occupied in executing the *habere* law against the lands of Lettermore, and I accompanied the sheriff, on the 30th of September, when possession was taken from some persons, who were permitted to return to their dwellings in character of caretakers. I explained to several persons who were pointed out to me as being objectionable persons, that I could not allow them to remain on my property. I gave them money to enable them to remove elsewhere. Since the 30th of September the power of the *habere* has been occasionally put in force. The vastness of the district required the deputy-sheriff not alone himself to act, but to grant specialties to carry out the intention of the law. Several persons have been dispossessed; but I am informed no act of inhumanity has been perpetrated in their removal. Unless in the most urgent cases, the ability which I possessed, and still possess, to keep on my property such persons as I may deem fit shall remain, has not been acted upon. I shall now apply myself to the report of Major M'Kie, and send certain affidavits to show that no person was illegally dealt with, and that no act of cruelty has been perpetrated. I have great confidence in the prudence of my manager, Mr. John Linnane, of Lettermore-house, and I am certain he can fully justify any act of his. I have looked through the book kept as to service of ejectments on the lands of Lettermore, and I find there stated—

" 'Thomas M'Donough, served personally 18th May, 1847. " 'James Connor.'

" The district called Garumna comprises many denominations of land. If I was aware of the exact part Michael M'Donough claims to be of, I could inform you whether or not he was served with a copy of ejectment. This matters not, for judgment had, on the ejectment, concluded the entire interests of all parties. I am quite averse to acts of cruelty. I regret the state in which my property is in Connemara. Such is chiefly ascribable to middlemen. I have got rid of this class of tenants, save in one instance. Connemara is an extraordinary county, and requires more than private enterprise to uphold its inhabitants, and regenerate its circumstances. I have borrowed 6,000*l.* under the Land Improvement Enactment, and have appropriated 1,500*l.* to Lettermore, and 1,000*l.* to all parts of Connemara. I am not receiving my rents, and have paid an immense poor-rate, appropriated when a proprietor cannot realise anything from his property. Elsewhere, in Queen's County, and other parts of the county of Galway, my property is in a fairly wholesome condition. I pay weekly from 50*l.* to 60*l.* in different parts for the employment of my tenants. I feel indignant at being accounted a bad landlord. I scorn any charge of dereliction as to the duties of my position in society.

" I have the honour to be, Sir, your most obedient servant,

" C. St. George.

" To T. N. Redington, Esq.,
" Under Secretary for Ireland."

This correspondence, he thought, ought to have found its way to the blue book; the blue book, at any rate, ought not to have been published until his explanations had been forwarded to the Government. The hon. Member also read an affidavit from Mr. O'Hara, deputy-sheriff of Galway, confirming the foregoing statement. This, he said, would show to the House that he had done nothing inhuman, and certainly nothing illegal. He did not censure Major M'Kie for the unavoidable incorrectness of his report, nor find fault with the Government for the promptness with which they had instituted an investigation. All he complained of was that he had not been fully informed of the inquiry which was going forward. There were a great number of witnesses examined by Major M'Kie; but the evidence of only two of these, the fourteenth and fifteenth witnesses, bore on the circumstances in which he (Mr. St. George) was implicated. No such occurrence as that described by the fourteenth witness, Thomas M'Donough, had ever taken place: and the statement of the other witness, Michael M'Donough, that his house had been pulled down, was equally untrue. He had applied to the Rev. Mr. Horan, the parish priest of Garumna Island, for his opinion as to the chracter of Thomas M'Donough; and the information elicited was that he was a man of bad reputation, and that he had been convicted of stealing. The evidence of Thomas M'Donough was altogether without foundation. It was true that the sheriffs' officers went to his house; but when they did so, in November last, they found that he had deserted it three weeks previously. The house of Michael M'Donough was still standing. The hon. Gentleman quoted from an affidavit made by his agent, Mr. J. Linnane, referring to the report of Major M'Kie, and declaring that so far as it related to the estates of Christopher St. George, Esq., it was unfounded and devoid of truth. He hoped that he had now vindicated his conduct, and refuted all the charges urged against him; and, for the future, he trusted the House would refuse to listen to these *ex parte* statements against Irish landlords. So far as he himself was concerned, he could assure the hon. Member for Stroud that the arrows he had fired fell utterly harmless.

EPISCOPAL REVENUES.

Mr. HORSMAN said, in order to make his Motion intelligible, he must explain the nature of the two funds referred to in it. The House was aware that there was issued in 1835 a Commission of Inquiry into ecclesiastical duties and revenues, which presented a series of reports forming the groundwork of subsequent important legislation. In 1836 an Act was passed, regulating episcopal incomes, reducing the emoluments of the richer sees, and applying the proceeds to augmenting the poorer ones. In 1840, another Act was passed for reducing the cathedral establishments and abolishing other sinecures, and the proceeds of those reductions were to go to the supplying of parochial wants. There were consequently two sources from which funds, diverted from their previous use, were to be paid into the hands of the Ecclesiastical Commissioners. Nothing transpired to indicate the intention of Parliament to keep those funds distinct, to restrict each to a separate application. That subject was never mooted, and no opinion asked for or expressed by Parliament. As long as the surplus from the richer sees was about equal to the requirements of the poorer ones, its application to that purpose was natural and convenient. And no one questioned the propriety of an arrangement which, as a matter of administrative detail, seemed recommended by convenience. It was obvious, however, that in process of time there would be a very much larger surplus accruing from these larger sees than Parliament had anticipated, or had provided for the application of; and certain indications on the part of the Ecclesiastical Commissioners led to the suspicion that they looked on this surplus not as ecclesiastical but as episcopal property, and that the confining it to episcopal purposes was not a question of convenience, but of principle; and then came the discovery that these views of the Ecclesiastical Commissioners had actually taken the form of a legislative enactment, and that in the Act of 1841, an Act relating to other subjects, emanating from the Commission, and passed carelessly by the House, certain words had been introduced with a view of establishing beyond a doubt the separation of the two funds; and the separation established by that Act had been recognised by subsequent statutes. But it was obvious that the effect to be produced by that clause in the Act of 1841, was not a matter of much deliberation or discussion; the most prominent of the Ecclesiastical Commissioners were unaware either of the doubt which had arisen or the clause inserted to remove it. And the right hon. Gentleman opposite, the Member for Ripon, who had long acted as an Ecclesiastical Commissioner, and it was to be presumed by no means the least astute member of that Board, stated in a debate at the close of the last Parliament, that, till he heard the evidence before the Committee of Inquiry last Session, he had always believed the distinction rested on a mere regulation of the Ecclesiastical Commissioners. He then learnt for the first time that it was sanctioned by statute; and he added clearly and forcibly that he entirely disapproved of it. A more impolitic and unjust distinction it was difficult to conceive. For what did it say but this? That episcopal estates were the property of the bishops and not of the Church; that episcopal interests were to be cared for separately, and not identified with the interests of the Church; that funds which had been episcopal once, must, whatever be the change of circumstances, remain episcopal always, no matter how impoverished the Church, and how wealthy the episcopacy—no matter how great the requirements of religion, and how small the needs of the bishops—still the exclusive principle was so strong, the right of the order so sacred, the application of bishops' money to parochial purposes and the teaching of the poor so objectionable, that if no possible means of expending the money on bishops at home could be devised, those means must be discovered abroad. Even the payment of colonial bishops was preferable to the payment of our home missionaries and labourers. Actually in the eyes of the Ecclesiastical Commissioners, such was the sanctity in which were involved the very pounds, shillings, and pence, which had once flowed into episcopal channels, that sooner than apply them to any more mean or vulgar purpose, you must expend them beyond seas, on bishops in China or Australia. That this opinion should be maintained by any one, was really so incredible that he certainly should not venture to state it unless he held the proof in his hand. But the Bishop of London, before the Committee of Inquiry on this subject last Session, was thus examined:—

> "983. Do you think it expedient to continue this distinction between the two funds?—Decidedly.
>
> "984. What is the advantage of keeping these funds distinct, both being to be applied to promote the efficiency of the Church?—In the first place, we want provision for more bishops; and I should say, that if the funds were sufficient, we want provision also for those officers who are of

great importance to the bishop as assistants to him in the execution of his duty; I mean particularly archdeacons, whom I would rather see paid, if possible, out of the Episcopal Fund than the Common Fund; I think, also, that if the state of the funds shall at any future time allow it, we ought to appropriate the surplus to the maintenance of colonial bishops. I am not, however, prepared to say that there might not, at some future time, be furnished by the same fund some assistance towards the augmentation of poor benefices."

The last part of this reply, however, is inconsistent with the present law: to give effect to it the change must be adopted which he (Mr. Horsman) was now proposing, and which the Ecclesiastical Commissioners resist. They can now apply the surplus of the Episcopal Fund to the payment of colonial bishops; but they cannot apply it, under any circumstances, to the augmentation of poor benefices. He could imagine nothing more monstrous than this doctrine so exalting the Episcopate at the expense of the Church. And at what a time was it broached! Look at the condition of our whole population! He would not go into statistical details, of which he could give them volumes, but he would read another passage from the evidence of the same Prelate given on the same day. He is thus examined by Sir James Graham:—

> "1026. Does your Lordship remember the statement of the great want of parochial cures, as set forth in the 2nd Report of the Commission?—Yes.
>
> "1028. The population has rapidly increased?—Yes.
>
> "1029. Notwithstanding all the efforts that have been made, is it your Lordship's opinion, that in this metropolis and in the manufacturing districts the wants of the growing population have been overtaken by the increased efforts that have been made or not?—Not nearly.
>
> "1030. May it be said generally that now, as compared with the date of the Commission, the destitution in the metropolis and in the manufacturing districts remains nearly as great as it was?—I should say that numerically it is greater.
>
> "1031. Your Lordship, by appeals to the charity of individuals, has been most successful in obtaining aid for the building of churches in the metropolis?—I made an appeal to the public, and the appeal being met by a great many noble instances of individual piety and zeal, the result has been that provision has been made for the building of fifty-five churches."

And here he must acknowledge that the right rev. Prelate's appeals to the public had been successful in a great measure from the example of liberality which he had himself so frequently set; and that while he had been so meritoriously unceasing in his demands on others, his own contributions had never been wanting in the furtherance of what he recommended to others. He is again asked—

> "1038. Notwithstanding the fifty-five churches which have been built in your diocese, and the efforts made in the manufacturing districts generally, your opinion is, that, considering the increase of population, the state of destitution in the main is not much diminished in proportion to the population?—I should rather say that I think the efforts we have made have not kept pace with the growth of the population—we have not supplied the destitution as it was, and therefore we have done nothing to supply the new population."

And this is the language of every prelate—the burden of every charge—the sorrowful complaint of every active clergyman—the melancholy experience of every earnest and Christian layman. They tell us that a great part of our population is escaping from us—some hurrying away into dissent, as is the case in Wales—some addressed by other proselytising bodies, though as yet with no great success. But the greater part of those whom we neglect are sunk in hopeless ignorance—perishing for lack of spiritual food. And yet, with these facts staring us in the face, this strange doctrine is maintained—that our Church funds are more religiously employed in the payment of Chinese or Australian bishops, than in saving our poor and benighted population at home. False in principle as this doctrine was, it became still more indefensible if examined in practice. What was the source of this Episcopal Fund? did it not mainly arise from parochial tithes? Certain payments went out of a parish to the bishop of the diocese. He spoke not of its origin, but of its practical working as people see it. Those who pay were supposed to have at least some return for their money: it went to the maintenance of the bishop from whose spiritual jurisdiction they derived advantage. The diocese was thus taxed for the benefit of the diocese. But if the bishop did not require the payment that is made him, was it the same thing to those who pay, that, instead of maintaining their own bishop, it went to the maintaining a bishop in the colonies? If the Bishop of Durham is not to have the tithes which are paid in the diocese of Durham, was it so very unjust that they should be returned to the parishes from which they were taken, instead of being carried over to create a new bishop in Cornwall, whom the poor tithepayers of Durham would never see, and of whom probably they would never hear. He held in his hand a list of parishes from which episcopal incomes were derived.

It was not complete, as the Tithe Commissioners, from whose returns it was taken, had not concluded their labours. But as far as it went it was correct, and would serve for illustration. Let them take the diocese of Canterbury. The income of the Archbishop was now 15,000*l.*, and to reduce it to that he paid 6,000*l.* a year to the Ecclesiastical Commissioners. But from parishes in which tithes had been already commuted and apportioned, the Archbishop drew no less than 14,070*l.* a year. If, therefore, he did not require all this, and if those parishes are ill provided with religious instruction, have they not at least as much claim to be considered as any other district which wants another bishop, to whose maintenance the surplus revenue arising from these tithes is now restricted? But if any one still entertained a doubt of that, let him look a little further. Here were some of the parishes of which the Archbishop of Canterbury is appropriator:—

	Income of Incumbent.	Appropriate Tithes.	
Tonge	£ 199	£ 522	No parsonage-house.
Nonington-Cum-Womanswuld ...	236	600	" "
Reculver	198	575	" "
Hernhill	292	700	" "
St. Nicholas at Wade	161	1,026	" "
Alkham	152	500	" "
Wye	101	680	" "
Hougham	185	532	" "
Leham	381	1,205	" "
Herne	360	1,474	" "

These were a few—and a few only, serving for illustration—out of many hundred cases of tithepaying parishes throughout England—themselves in a state of miserable destitution, and crying out for aid. They are contributing largely to episcopal requirements, not out of their abundance, but their poverty. Was their claim to more pastors, even out of any general fund, less strong than that of colonies to more bishops? but when it is a particular fund contributed by themselves, could any but an Ecclesiastical Commissioner doubt as to which party had the preferable claim to it? But the Ecclesiastical Commissioners had a vindication for their doctrine, which is often set up, and which was, after all, their real and true ground for insisting on the separation of the two funds: it was here stated again by the Bishop of London, and so clearly, that he would once more give the House his words. He is asked as to the propriety of fusing the two funds, and he replies:—

> "1185.—I have considerable doubt as to the expediency of such a fusion, because then, whatever was done for the bishops, would no longer appear to be done out of that property which belongs to them as bishops, but out of a common fund, in which the parochial clergy would be thought, of course, to have a much larger interest; it would be considered as so much deducted from that which ought to go to the augmentation of small livings. . . . 1188.—Why do you think that that difficulty would arise?—I think that there would be a louder demand for the means of creating additional benefices than endowing additional bishoprics."

Now, this last reason, given by the right rev. Prelate, at once condemned the doctrine and those who established it. The majority of the Church, says he, would incline to an increase of the working clergy, rather than to an increase of the bishops; and, therefore, that the opinions and wishes of the majority might be of no avail, the minority must take counsel together to place the episcopal revenues under such restrictions as, by making them not available for parochial purposes, to secure an increase of the episcopacy, albeit an increase of the clergy would be more acceptable to the Church at large. Now this species of despotism the Church of England would not submit to. It was true, that at this particular juncture the public sympathy was more with the parochial clergy than with their prelatic rulers; but that was not from an undervaluation of the episcopacy itself; but it was because by the Ecclesiastical Commission the administration of Church affairs had lately been vested in the bishops, and so improperly administered that there was an impression—a general, and strong, and well-grounded impression—that the interests of the episcopal body had been more cared for than those of the parochial clergy. And was this denied? Could it be pretended that the condition of the clergy was to be compared to that of the bishops?

There were upwards of 4,000 parishes in which there is no residence for the clergyman: where was there a bishop who was not well housed? Towards supplying residences for the 4,000 clergymen, the Commissioners had laid out 40,000*l.*; but on the palaces of only eight prelates they had expended 143,000*l.* There were 3,500 parochial clergymen with incomes under 150*l.* a year; where was there a prelate whose revenue was not ample? Some of the parochial clergy had 5*l.* a year; but the minimum income of a bishop approached that of a Secretary of State. And yet, were they content with that? Did the Act of Parliament not limit the Bishop of Durham to 8,000*l.* a year? and yet, by his own administration of that Act, did he not receive in one year, independent of his payment to the Commission, 26,000*l.*? Did the Act of Parliament limit the Bishop of Salisbury to 5,000*l.* a year? and yet, did he not receive in 1845 no less than 17,000? And were these facts lost upon the public? Only the other night the Bishop of Salisbury pressed the Government to create more bishops. But he himself was the obstacle to more bishops; and he told him, that neither the present nor any future Government would be strong enough to create one additional bishop, as long as there were such glaring instances of bishops enriching themselves under their own administration of an Act of Parliament which was intended to restrict their incomes, but under which they were pocketing such enormous receipts in excess of the amount which the law intended them to have. Now, his Motion did not touch the question of whether we stood in need of more bishops or more clergy; it left that point to be decided as each necessity arose; but it did repudiate the notion that one had a preferable claim over the other. It proclaimed both to be the servants of the Church—holding no power and no property but what was given for the uses of the Church, and must be held in subservience to its necessities. He hoped that the Government would accede to his resolution; for it was impossible to deny its truth, and dangerous to delay its application. But he was bound to say that this proposition did not stand alone: it was but the prelude to other and more extensive changes which he should ere long have to submit to the House, and he should do so with more confidence because he saw on all sides of him a feeling that something more was required to be done; and he believed that the Government had both the inclination and the power to do it. Lately, it had devolved on Government to select two prelates within a very short period of each other, for the highest places in the Church; and the approbation and gratitude of the public had attested the wisdom and propriety of the choice. Again, in an inferior but not unimportant matter, since he first mooted this question, two of the most important of the metropolitan charges had fallen vacant. There again, the Government, consulting the interests of the people, first, in the selection of Mr. Baring, and then of Mr. Gurney, conferred a boon on the parishioners, which they would not soon forget; and, coupling them with the character of those who were now most influential in the counsels of the Church, he hoped the time was arrived when that Church might be made as efficient in all respects as it was capable of being. When they considered the state of our dense population, the complications of our social system, the social revolution through which we were now surely and not slowly passing, how slightly removed were our chief elements of life and prosperity from becoming elements of turbulence and disorder—when they considered all this, it was evident that the moral and religious condition of the masses was the first subject for the consideration of the Minister, and the improving that condition through the instrumentality of our Church a constant subject of anxiety to its spiritual rulers. It was for these reasons that he rejoiced at the elevation of the present Archbishop of Canterbury. It was a matter of congratulation that at such a time our Church should have such a spiritual head. Selected on no political grounds; distinguished only by the holiness of his life and the purity of his doctrine; practically acquainted with the wants of the Church and the feelings of the times; knowing that there was a movement in the Church, which he might guide but could not stem — that there was safety in advancing, and danger only in standing still—he felt assured that he would justify all the hopes which had been formed of him, and, by a course of wise and temperate improvements, would so give strength and efficiency to the Church as to render his elevation a blessing to the people. The hon. Gentleman concluded by submitting the following Motion to the House:—

"That, in the opinion of this House, the distinction between the Episcopal and Common

Funds, restricting the application of the surplus revenues of the Archbishops and Bishops to Episcopal purposes, and permitting no part of it, in any circumstances, to be applied to the relief of parochial destitution, is inexpedient, and ought not to be continued."

Lord ASHLEY seconded the Motion, on the grounds which his hon. Friend had so fairly and eloquently laid down. He was very decidedly in favour of a fusion of those two funds. He believed it was necessary for all parties in the Church that all classes in the Church should feel that equal and impartial justice was dealt out to them all. He took no part whatever hostile to an increase of the episcopacy, because he held that from that fund they might take whatever was requisite for the immediate exigencies of the Church, whether to increase the number of bishops, or to extend the number of the parochial clergy. He was not prepared to say that an increased number of bishops was not required; but he did say, that an increase of bishops at the present moment was not necessary — not indispensable. On the other hand, however, he did assert, that a great extension of the parochial system—a vast increase of the working clergy—was necessary—was indispensable. Without arrogating anything to himself, he might be excused for saying, that perhaps few had seen more than he had of the wants of our population; and he did not hesitate to say, with a solemn conviction of the responsibility which rested on that House and the country, that if they allowed the present period to pass by—that if they suffered another interval of ten years to elapse before they addressed themselves to the redress of the existing grievances — his firm belief was, that the evil would have attained such gigantic proportions that it would require the faith—ay, and the inspiration — of a David to tear down that monstrous and almost unassailable Goliath. With the most heartfelt satisfaction he seconded the Motion of his hon. Friend.

Sir G. GREY did not rise for the purpose of controverting the arguments of his noble Friend who had just sat down, with every word of whose speech he in a great measure concurred, nor to confute the arguments of his hon. Friend the Member for Cockermouth (Mr. Horsman). At the same time he did not feel at liberty to concur in the resolution which his hon. Friend had moved. With reference to what his noble Friend had stated as to the importance of the extension of the parochial clergy, assuming that parochial clergy not to be too much tied and fettered by those forms which, though good in their place, he felt had stood in the way of their usefulness in large and populous districts, he heartily and entirely concurred with him; nay more, he thought that some of those funds which were applicable to church extension (using that term not in the sense of building churches, but meaning the extension of that spiritual care of the people to which his noble Friend had attached so much importance), might be well applied in employing some other agency than that which already existed: penetrating the masses of the people, visiting them at their own homes, going to those who would never attend the Church; and which agency should act under the parochial clergy, upon the principle which he knew his noble Friend approved, and which was sanctioned by the Bishops of London and Winchester in the metropolis. At the same time, he must guard himself against saying that there should not be at any time, and under any circumstances, such an increase of the episcopal staff as would be necessary for the superintendence of the parochial clergy. He trusted that nothing which had fallen from his hon. or noble Friend could be interpreted as meaning that there should not be a corresponding increase in all classes of the Church, from the highest to the lowest, or as indicating that they did not wish to see this principle carried out to the fullest extent, for the good of the people. He was of opinion that the proper way of meeting this question was not by a resolution. The present position of the question rested upon an Act of Parliament; and the way to meet a question resting upon an Act of Parliament was to move for leave to bring in a Bill, embodying the views of the Mover; but the House ought not to bind itself by an abstract resolution to adopt a course of policy, without knowing how that policy was to be carried out. Without troubling the House with the evidence *in extenso*, he must say, that he thought his hon. Friend had not quite fairly quoted the evidence given before the Commission. In answer No. 81, and several following answers, Mr. C. K. Murray, the secretary to the Commission, accurately states the mode in which the legal distinction was created between the Episcopal Fund and the Common Fund, the Episcopal being applied only to episcopal purposes, and the

Common to parochial purposes. Certainly since the passing of the last Act there had been no doubt as to the separate application of those two funds. He would not say, however, that he was prepared to maintain the permanent separation of these two funds. As regarded the appropriation of the Episcopal Fund to colonial bishoprics, he certainly never had heard any opinion expressed at the Ecclesiastical Commission which would warrant such a supposition—he had never heard it expressed anywhere except in the answer of the Bishop of London, as his own individual opinion; but the Ecclesiastical Commission was not bound by any opinion so expressed. There was another circumstance connected with this Motion of great importance. The hon. Member had mooted the question which had been frequently raised in the Ecclesiastical Commission, and which, if decided as the hon. Gentleman seemed to wish, would tend to defeat the main object of the Ecclesiastical Commission. The object of the Commission was to render available the funds of the Church to the better endowment of the clergy in those large districts of the country where spiritual superintendence was most defective. What did the hon. Member propose to do? He said he would separate the impropriate tithes from the revenue of the larger bishoprics, or, where there was a surplus, would appropriate that surplus to the augmentation of the income of the parishes from which those tithes arose, and thus appropriate the surplus funds of the diocese to the particular parishes in question, without reference to the wants and circumstances of other and more populous parishes. He regretted that the Commission had departed from the primary object for which it was appointed. It had given too much consideration to income, irrespective of population; and he was not prepared to sanction an extension of this principle. He had before stated, on the former discussion in the course of this Session, as to the Ecclesiastical Commission, that there were various questions, of which this was only one, which had occupied much of the attention of the Government. Some of the Commissioners who had recently been added to the Commission had given great attention to the subject, and had in preparation measures which, he hoped, would effect considerable improvement both in the mode in which episcopal revenues were collected and raised, and the administration of the funds. Amongst these questions the present was one which must necessarily be considered; and all he asked the House now, was not to decide the matter by a precipitate vote, or by an abstract resolution, without seeing the provisions of a Bill. He should not move a direct negative on the resolution of the hon. Gentleman; but he trusted the House would agree to the previous question, and not entertain the matter until it could be brought before them in a shape in which an opinion could be taken upon it. He must say one word as to the renewed charge which the hon. Gentleman had brought against the Bishop of Durham to-night, and which he thought had been disposed of on a former occasion. He thought he had convinced his hon. Friend that the Act of Parliament did not fix his income at 8,000*l.* It provided a mode of dealing with the income of the see which necessarily precluded, except by a combination of accidents, its being absolutely limited to 8,000*l.* If his hon. Friend would look into the Act of Parliament, he would see that what he said was correct. He admitted that that was an objectionable mode of carrying out the intentions of the Commission; and his noble Friend (Lord J. Russell) had stated that on the appointment of the Archbishop of Canterbury—to whose worth and excellence so just a tribute had been paid by his hon. Friend—he had communicated with the Archbishop, and he had most readily agreed to take the see subject to any arrangement which might be made by Parliament as to an alteration of the mode of fixing income; and a measure was now in preparation with the view of carrying out the intention expressed by his noble Friend. His hon. Friend had said, that in a particular year the income of the Bishop of Durham, which had been fixed at 8,000*l.*, had amounted to 37,000*l.* It would have been but fair, in holding up the Bishop of Durham to animadversion, as receiving a greater sum than had been fixed by Act of Parliament, to have stated that in that one year the income was very much higher than in any other year. It ought to be known that the year 1841 was not an average receipt—in 1842 and 1843 it was only 6,791*l.* He said this in justice to the Bishop of Durham, not in defence of the system. He hoped hon. Members would not, by agreeing to the resolution, fetter the future discretion of the

House as to any Bill which might be brought before it. He moved the previous question.

Mr. PLUMPTRE expressed his regret that the right hon. Gentleman had felt it necessary to move the previous question. He considered the course adopted by the hon. Member for Cockermouth a very rational and regular course, to move a resolution to test the feeling of the House on this subject; and that it should be followed up by a Bill. He was, therefore, sorry the Government had discountenanced the attempt of his hon. Friend to do that which he thought was the only one proper step for him to take. When the hon. Member for Cockermouth before moved in this matter, he was happy to second him; and he took occasion to say that the hon. Member ought to be supported, because he was satisfied that the hon. Member was not influenced by hostile feelings to the Church, but rather by friendly feelings. He was fully satisfied of that fact; if he wanted any assurance of it, he could have it in the circumstance of his hon. Friend being seconded by the noble Lord the Member for Bath. No one could doubt that the noble Lord was influenced by purely friendly feelings to the Church Establishment. His noble Friend had said very truly, that in voting for this resolution he expressed no opinion whatever hostile to the extension of the episcopacy whenever an opportunity occurred for its extension. He, for one, should be very glad to see the number of bishops, under certain circumstances and certain limitations, extended; he believed it would be a useful measure for the Church; but he must say that the working clergy were a body of men who peculiarly required assistance. He need not say how much the country was indebted to the working clergy for the state of things which now existed in Ireland, and trusted that more efficiency would be extended to that valuable body. He trusted that fair, legitimate, and rational means would be taken to render that most valuable body more efficient and useful; and that their important calling would meet with every favourable consideration. He was sure that his hon. Friend was influenced by friendly feelings to the Church, and hoped he would meet with due encouragement.

Lord SEYMOUR, as a Member of the Committee which had been appointed last Session, said that he had heard the speech of his right hon. Friend below him with feelings of disappointment; for he had expected that he would have made a statement that he wished to see these two funds fused. Last year, when discussing the question of the bishopric of Manchester, he understood the noble Lord at the head of the Government to say that he had no objection to the funds being fused together. The question was one which must be brought forward by the Government. This was not an abstract resolution. It was an exact question, in specific terms, which required a direct answer; and it appeared to him that it was necessary for the Government to take it into consideration. As to the incomes of the bishops themselves, he believed that the House was perfectly ready and willing to maintain the incomes of the bishops as settled by the Act of 1836; but that Act had entirely failed. The Bishop of St. Asaph, in his evidence before the Committee, stated that the Act had been a failure; that it had pressed upon some bishops rather hardly; and in many cases did not meet the wishes and intentions of the Legislature. He therefore hoped that before long Government would bring in some measure to effect the object in view. That object was to give the bishops 8,000*l.* or 5,000*l.*, or any other sum that was fixed, and that they should pay over the residue to the Ecclesiastical Commissioners. The effect of the Act had been this, that a certain sum had been paid over to the Ecclesiastical Commission, and that the bishops had been left an uncertain sum—sometimes too small, sometimes larger than was expedient. He said this with the more confidence because the Bishop of London, in his evidence, said that although the Commission had been ten years in existence, yet he was obliged to say that there was a greater amount of spiritual destitution in this country than there had been ten years ago. If such were the actual result of circumstances at present, he thought it was time that some further steps should be taken to secure that the surplus income which could be derived from the Episcopal Fund should be applied to those parishes and parts of the country whose spiritual destitution most required it.

Sir R. H. INGLIS approved of the spirit in which this matter had been discussed; but, at the same time, could not admit one of the principles—indeed, the fundamental principle—on which the proposition had been raised; he meant the right of considering the property of the

Church as property with which the House might deal at its own good pleasure. He had never omitted to consider that there was a distinction between personal and individual property and the property of corporations; but he had uniformly contended that the right of an ecclesiastical corporation was exactly the same as to its property as the right of a civil and municipal corporation; and, therefore, when the hon. Member who moved this proposition talked of allowing a certain sum to certain bishops, and said that a certain sum was allotted to them by an Act of Parliament passed in 1835, he could not admit the justice of the principle. But in the present instance it was not that a given sum was fixed for the income of particular bishops, but that a particular amount was by law payable, and no one had contended that that payment had not been made. The hon. Member for Cockermouth, in the commencement of his statement, had brought forward a number of cases in which the tithes of particular parishes were contrasted most disadvantageously with the incomes of actual incumbents. It must be in the knowledge of all who were entitled to speak of these subjects, that the bishops were not responsible for having a large part of their incomes derived from the tithes of particular parishes. The founders of these bishoprics bequeathed or gave large manors—broad lands, as they were called—to the sees; and it was not until after the Reformation—it was not until the time of Queen Elizabeth—that the bishops in succession were compelled to resign their broad lands, and they accepted in exchange from her the tithes of the parishes which they now held. They were themselves the first victims of that act of civil tyranny which the Queen in those days was able to exercise over all her subjects. He regretted, as much as any one who had taken part in this discussion, the depressed state of the pecuniary affairs of the larger portion of incumbents. He most earnestly desired that any amelioration which could be made consistently with the rights of others should be made in respect to such persons; but this difficulty and doubt was, whether you ought not to have done this by other means than the appropriation of the property of other persons. He had heard with great satisfaction last year the speech of the First Lord of the Treasury urging on the House the expediency of creating more bishops. He trusted that he had not abandoned the execution of that design; but he told him that, consistently with the execution of that act, he ought not readily to mix together the fund from which, by the existing law of Parliament, the creation of new bishops could be made without throwing a burden on any other portion of the community. Not denying the right of providing for the spiritual sustenance of the great body of the people, but repeating his full sense of the importance of that object, he said that, however important it might be, it ought not to be accomplished at the expense of any existing rights. He maintained that the distinction between the Episcopal and the Common Fund, although not such an appropriation as he should desire, did give the means of creating such new bishoprics as might be wanted, and at the same time, although not in a degree he thought desirable, provided out of the Common Fund for the gradual increase of parochial ministration. When he found such men united as he found united on the present occasion, he might almost distrust his own judgment; but, retaining his own opinion, he believed it to be his duty to support the proposition of the Secretary of State rather than the original Motion.

Sir R. PEEL said: I have great difficulty in voting for a proposition through the affirmation of which in this House it is sought to do that by resolution which can only be effectually done by a legislative measure. If the subject respecting which we are thus called upon to pronounce an abstract opinion be in itself perfectly simple, and admitting of no doubt, then I desire to know why the object in view cannot be accomplished by the enactments of one short Bill. Even if it be nothing more than the assertion of a principle — even in such a case the introduction of a short Bill would be the obvious and convenient mode of accomplishing the proposed end. It is perfectly true that no legislative measure can become law without the consent of the other House of Parliament; but I still repeat, that whatever is to be done in this matter had much better be effected by means of a Bill, than by thus agreeing to any abstract proposition such as that which is involved in the resolution now before the House; and, for my own part, I am most reluctant to pronounce a direct opinion by means of an abstract resolution, when I do not know how the principle of that resolution is to be carried into effect. Either the principle involved in this resolution is perfectly simple, or else it is not simple, but complex. If it be simple, then I say at once, bring in a Bill by means of which it shall be carried into practical operation. If it be complex, do not ask me to commit myself to something respecting the details of which I have not been informed; and I hope the House will not on this occasion involve themselves in any inconsistency by voting for an opinion that is unfavourable to the principles of our past legislation upon this subject. Of course, no one attempts to underrate the importance of the functions discharged by the bishops of the Church of England. With me, I believe it will generally be acknowledged that the continued and efficient exercise of those functions is essential to the welfare of the Church; and I believe that most people will be disposed to admit that not any of Her Majesty's subjects are more conscientious in the discharge of the functions appertaining to their high office than are the prelates of our National Church. I can easily believe that there are cases in which it might be very important to add to the number of bishops in the Church of England. If there were ample means available for that purpose, I should think it highly desirable that their labours should be alleviated by making additions to their numbers; but we cannot look at the bishops alone; we cannot overlook the condition of the whole population; nor can we remain insensible to the imperfect provision that at present exists for their spiritual instruction. The facts which suggest these observations to me are drawn from the second report of the Ecclesiastical Revenues Commissioners. It is stated by the Commissioners that in the diocese of Chester there are thirty-eight parishes the population of which exceeds 10,000 each; that in that diocese there are 816,000 persons in a district where there is church accommodation for only 97,700, being as nearly as possible one-eighth of the whole number. Then let us look at the large parishes of the manufacturing districts: there is not church accommodation there for one twenty-third of the population. In the diocese of Lichfield and Coventry there are sixteen parishes with a population each exceeding 10,000; and if we included other parts of those dioceses it would be found that there existed a population of 235,000, with church accommodation for only 29,000. In London and its suburbs, including the parishes on either bank of the Thames, there are four parishes or districts, each having a population exceeding 20,000, and containing an aggregate of 166,000 persons, without church accommodation for 8,200, not quite one-twentieth of the whole number, and only eleven clergymen. There are twenty-one other parishes, the aggregate population of which is 739,000, while the church room is for 66,155 — not one-tenth of the whole — and only forty-five clergymen. There are nine others, with an aggregate population of 232,000, and church room for 27,327 — not one-eighth of the whole — and only nineteen clergymen. The entire population of these 34 parishes amounts to 1,137,000, while there is church room only for 101,682. Supposing that church room is required for one-third, there ought to be sittings for 379,000 persons. There is, therefore, a deficiency of 277,318 sittings; or, if we allow 25,000 for the number of sittings in proprietary chapels, the deficiency will be 252,318. So much for the provision made as regards church room; so much, also, I should say, for the number of working clergy—11 clergymen to 166,000 souls. From this report it also appears that there are no less than 3,528 benefices under 150*l.* per annum. Of this number 13 contain each a population of more than 10,000; 51 a population of from 5,000 to 10,000; 251 a population of between 2,000 and 5,000; and 1,125 have each a population of between 500 and 2,000. On every one of these benefices it is desirable that there should be a resident clergyman; but unless their value be augmented, it will in many cases be impossible to secure this advantage. I would therefore call upon the House to look at the hardship of the case of the working clergy, upon whose benevolent feelings most numerous claims are at all times made. How painful must be the situation of a clergyman with only 150*l.* a year, having the care of a parish where the population exceeds 10,000! We will suppose him qualified by education for the ministry, a man of improved faculties; and can we imagine a harder case? I trust that I need scarcely say, I entertain the utmost respect for the episcopal office and duties; but, however onerous those duties may be, I do not think we ought to confine our views to them alone, and never for a moment turn our attention to the overburdened working clergy, or to the insufficiency of the church room, or the general insufficiency of spiritual provision. Upon these grounds, then, I do differ from the hon. Member for Cockermouth. If the principle of the Motion be correct, I cannot understand why the evil is not to be met by legislation, instead of an abstract proposition. As regards the great tithes enjoyed by the bishops, I have merely to observe, that I quite agree with those who hold that the property of ecclesiastical corporations is sacred—as sacred as any other species of property; and I should as strenuously oppose the appropriation of Church property as I should resist interference with any other vested right. I say, that I am now opposed to any such appropriation, and, as far as I can foresee any opinions of mine, I should say that, at all times, I shall be ready to oppose them; but the application of a portion of them to promote the interests of religion is a very different question. If hon. Members hold that the income of the Archbishop of Canterbury may be allowed to go on increasing till it reached a very great amount, say 200,000*l.*, much as I respect the office and duties of that most rev. Prelate, I should not be inclined to manifest that respect by insisting that no part of such a revenue was to be applied to the general advancement of religious interests; and by the interests of religion—I mean religion as taught by the Established Church. In this matter we have no discretion to exercise, though I agree with the noble Lord opposite that we might advantageously make some arrangement with regard to the bishops' property different from that which now exists, provided such change be made consistently with the principles to which I have already adverted. I may here observe, that I cannot but think it unfortunate for the Church that the maximum of 8,000*l.* should have been fixed, because, suppose the income of a bishop should be 26,000*l.* in one year, and nothing in the next, the existing state of the law would not redress that, especially if a bishop should die at the end of the year when he had received 26,000*l.* For these reasons I am opposed to an abstract resolution expressive of opinion, but on the contrary, I should much rather see a Bill embodying this principle, and calculated to carry it into practical operation; and I think, if we are to have such a Bill, it would be much better to have it introduced by the Government than by any private Member. The Crown is represented by the Executive Government, and it would be evidently much more convenient that the responsible advisers of the Sovereign should take this matter into their hands, and redress the inequalities of the system, than that we should now vote for any abstract resolution, which, after all, is not so easy in its application as at first sight might appear. The maximum in one case might be fixed at 8,000*l.*, and in another at 15,000*l.*; but still means must be taken to give some one an interest in preserving, improving, and upholding the estates of the Church. That is not so easily done, and I apprehend that we shall make a nearer approach to it by passing a Bill than by adopting a simple resolution. I, therefore, do think it desirable by means of a Bill to make some attempt to get over the difficulty. I do not mean to imply an opinion that the whole of this fund should be applied to the increase of small livings, or an opinion necessarily adverse to an increase of bishops; but I wish to see the removal of that barrier which prevents its application to the increase of parochial superintendence. However, placing confidence in the intentions of Government for the true interests of the Church, it would be much more satisfactory to me to see these measures connected with the securing to the bishops an equal annual revenue, and connected with the fusion of the Episcopal and Common Fund, or at least with the removal of the barrier which now separates them, for the purpose of immediately effecting, if desirable, an increase of parochial superintendence in the manufacturing districts, receive the attention of the Government, than to vote for the abstract resolution of the hon. Gentleman. I trust that the House will not come to a division on the present occasion. As the House has been given to understand that the Government are ready to make this subject a matter of consideration, it will always be competent for any hon. Gentleman, should the views of the Government be found to fall short of his desires, to move an Amendment in reference to the question. But I hope, considering the spirit in which the present discussion has been carried on—considering that the general feeling which appears to animate the House, is a sincere desire to promote the true interests of the Established Church, that the hon. Gentleman (Mr. Horsman) will not place the friends of the Church on opposite sides in a division by pushing his Motion to a division.

Mr. V. SMITH entirely agreed with the right hon. Baronet in preferring a Bill to an abstract resolution; but the present resolution, though it might be called an abstract resolution, was, nevertheless, one of very practical bearing. By the report of the Committee of last year, it would appear from the evidence of the Bishop of London and his secretary, that a clause was introduced in the Act of 1840 which fused these two funds together; but that, so great was the disinclination of those gentlemen to that fusion, that they struck out that clause in 1841; and all that the resolution required was, that the proposition of 1840 should be reverted to. There appeared to be a general opinion in favour of the fusion of these two funds. The right hon. Gentleman (Sir G. Grey) had expressed an opinion not very adverse to that fusion, and in last Session the noble Lord at the head of the Government appeared to be favourable to it. To-night an opinion to the same effect seemed, with the exception of the hon. Baronet (Sir R. Inglis), to be entertained by all sides of the House. Still the Government had held out no distinct hope that they would introduce a measure on the subject. The Bishop of London stated, that since 1836 the spiritual destitution had increased in spite of all that had been done, and therefore it was incumbent on the House to take care that proper provision should be made, before any other appropriation of the funds, for supplying that deficiency. Great as the differences of fortune were in this civilised country, there was hardly to be found anything so unequal as the discrepancy between the condition of the bishops and the curates. This was a fact which demanded the attention of Parliament. The Ecclesiastical Commission was a tribunal from which much could not be expected. It should be constituted in a manner more fitted for the transaction of business than it was at present. In that Commission were almost all the bishops, the Judges of the land, and persons who were put in for the purpose of honour, but hardly for the transaction of business. The Commission certainly required some great alteration and reform, for the purpose of the transaction of business. As the tone of the debate had been so satisfactory, he would not trespass further on the time of the House. He concurred in thinking that it would be much better to have no division on this subject, if possible; but unless he heard from the Government that they were prepared to take the question up, he should desire to see the resolution put to a vote. It would require no very long Bill to settle the question, for the resolutions of his hon. Friend might be carried out by one short clause in an Act of Parliament.

MR. BRIGHT said, that if he were a member of the Church of England he should be puzzled to know how to vote, because the hon. Gentleman the Member for Kent had expressed an opinion which was the opposite to that declared by the hon. Baronet the Member for Oxford University. But he rose in the character of a Dissenter to offer a few observations on this very important subject. The House would recollect that much had been said by the noble Lord the Member for Bath in reference to the increase of our population. Amongst those who formed that increase there was not only no sympathy with the Church of England, but any measures which were taken for the instruction of those persons in the tenets of the Church of England were those of which they would not avail themselves. In reference to some observations of the right hon. Baronet the Member for Tamworth, it would appear that there was always an extreme sympathy evinced in the manufacturing districts when the question of increasing the Church Establishment was mooted. Now, he came from a manufacturing district, and he was able, he thought, to give an opinion on the matter. In his parish, which was that of Rochdale, the population amounted to from 70,000 to 80,000 persons. About seven years ago, he had taken pains to ascertain the state of the parish in respect to the number of places for public worship; and he found that out of fifty-four places of worship, forty-four were built by the voluntary contributions of those who were Dissenters from the Church of England, and all that was totally ignored in the reports which had been presented to that House. He believed from the statement of the right hon. Member for Tamworth, it would seem that no such thing as a Dissenter existed in these localities. Then with respect to Wales, within the last twelve or eighteen months he (Mr. Bright) had visited different parts of the Principality, and amongst others he had visited Merthyr Tydvil. He could not say exactly what the population was there, but he believed it was between 25,000 and 30,000. He went into the shop of an intelligent bookseller there, from whom he learned that there was one church belonging to the Establishment, which had been opened as long as the town had existed; there was another church in process of completion, which was not then open; and that there were twenty places of worship which were built by the voluntary contributions of Dissenters from the Church of England in Merthyr and the neighbourhood. The dean and chapter of Westminster would not admit places of worship of Dissenters to be built on the land in this parish; if that were the fact, it proved they were actuated by the feeling of the dog in the manger. With regard to the question of dissent in Wales, it was admitted that of that population, seven out of eight were Dissenters, and they had, nevertheless, a staff of bishops and clergy of the Established Church, and the Government had been prevented from reducing the number of bishops. Nearly the whole of the population were absent from the services of the Established Church, who had indeed not only to pay rates, but who built out of the funds of a poor people those numerous churches and chapels for themselves throughout the Principality, to an extent which did them infinite credit. If he went to Scotland, there he found the same system prevailing; and that there the population did not remain with the Established Church, but were attached to the United Presbyterian and Free Church of Scotland. Then as to the bishopric of Manchester. He had had sufficient proof that in Manchester they did not want a bishop. They had already an income of 5,000*l.* a year vested in the dean and chapter, who had denied that they had any cure for souls, and who did nothing beyond occasionally preaching; and these facts tended to engender unhappy schisms in the city of Manchester. This desire for creating new bishoprics had extended itself to the appointment of a Bishop of Jerusalem. He (Mr. Bright) was in Jerusalem shortly before that bishop was appointed, and he believed there were not half-a-dozen people there, and they were Americans, who were members of the Church of England; and, indeed, it appeared to be a gross imposture to ask people to subscribe their funds towards such an object as that of maintaining a bishopric. This bishop, when he left to assume his office, went out in the *Devastation* steamer, and was landed under a salute of guns. He would ask the House to look back at the two last Archbishops of York, who had lived each a long life; but it might be demonstrated that, during their lifetime, they had received more than a million and a half of money: he believed he might say 2,000,000*l.* of money. Now, whether that were State money or Church money, he said it was a scandal to any establishment that there should be such a gross misappropriation of funds, whilst, as was admitted on all sides, there was such a vast mass of spiritual destitution in the country. But the noble Lord said one night, and he (Mr. Bright) was amused at the coolness with which the noble Lord said it, that the Archbishop's income was to be limited to 15,000*l.* a year, and he hoped that would be satisfactory. [Lord J. Russell: No, no.] He did not know whether the noble Lord meant that that would be satisfactory to the Archbishop of Canterbury, or to the House, or to the country. But it was clear that the Archbishop was to have three times as much as a Prime Minister of this country; and what a Prime Minister had to do involved with the performance of his duties much wear and tear; and he would guarantee that the noble Lord would not live as long as an Archbishop if he were to remain Prime Minister. The right hon. Baronet the Member for Ripon had appeared, on a former occasion, to insinuate that the bishops were not so hard-worked as the right hon. Baronet the Member for Tamworth seemed to think they were. He believed that if there were a class of persons who were comfortably off as to temporals, it was those comfortable gentlemen who sat on the bench of bishops. He believed they always had a strong disposition to go with the Government be they whom they might; he believed they never changed sides with the Executive Government. He thought the continuance of the bench of bishops, and the state of the clergy in respect to their connexion with the State, had been hostile to public liberty—opposed to the progress of those opinions and those changes which most men believed to be necessary—and that the present state of things had an unfavourable effect, not only upon public liberty, but upon the Christian religion itself.

Mr. GLADSTONE: When the hon. Gentleman who had just sat down stated that he was about to address the House on this important question, not in the character of a member of the Church of England, but as a Dissenter, he certainly did not anticipate such a speech as they had heard The hon. Gentleman had remarked that no account was taken of the large number of persons in different parts of this country who were connected with dissenting communities; but, although that was a point which might very properly be brought under the notice of the House, he thought it was very easily disposed of; for he found from the reports of the Ecclesiastical Commissioners, that, after making all the deductions that could be rationally required, on account of persons attached to dissenting communions, there still remained a very large portion of the manufacturing and mining population for whose spiritual instruction no provision was made—that they had a National Church which was pledged to use all its resources to make provision for that population—and that Parliament was also pledged, under the existing laws, to assist in such an application of the resources of the Church. He considered, then, that though the observations of the hon. Member for Manchester were perfectly relevant and just, they did not at all set aside any thing that had been said upon the subject of spiritual destitution. He must say that he thought the references which had been made by that hon. Gentleman (Mr. Bright) to the right rev. prelates of this country were not creditable either to the feelings, to the good taste, or to the understanding of the hon. Member. It might be true, and he believed it was true, that there were many of the bishops who were not overworked; but, on the other hand, it was notorious to all those who heard him, that there were among them men of remarkable energies —men whose energies were not surpassed in that or in the other House of Parliament, or in any profession, or among any class of persons in the country—men who had been overworked, and one of whom he feared was at present sinking under the discharge of his laborious duties. The name of the Bishop of London alone, and the present condition of that right rev. Prelate, ought, he conceived, to have been sufficient to have stopped the mouth of the hon. Member for Manchester. He had also heard with deep regret the reference which had been made by the hon. Gentleman (Mr. Bright) to the late Archbishop of York. So many of those whom he was now addressing were acquainted with the estimable qualities of that most rev. and lamented Prelate, that he felt assured there would be a strong sympathy with him when he said that that reference would have been better spared. It was not necessary for the hon. Gentleman to barb his arrow in a manner so painful to the family and connexions of that most rev. Prelate, whose hearts were now bleeding under the loss they had suffered in his removal from the world. He considered that even if the hon. Gentleman had thought it necessary to refer to a prelate over whose ashes the earth had only just closed, he ought not to have indulged in the exaggerated statements which, in his opinion, the hon. Gentleman had made to the House. He had not the means, nor did he think the hon. Gentleman had the means, of showing exactly what had been the receipts of the last two Archbishops of York during their very long tenure of the archiepiscopal see; but he certainly thought that when the hon. Member spoke of their having received a million and a half or two millions of money, he had very greatly exaggerated the fact. With regard to the subject now under discussion, it appeared to him to be partly a question of words and partly a question of substance. His hon. Colleague in the representation of the University of Oxford (Sir R. Inglis) objected to Parliament dealing in any way with the property of the Established Church; but that protestation remained in the nature of an abstract protestation. Parliament had already dealt with the property of the Church, and they were now discussing the question how they were to deal with it again. He (Mr. Gladstone) would also set aside the objection taken to the present constitution of the Episcopal Fund, with regard to the very unequal receipts of the different bishops in different years. He had certainly never thought that there was sufficient force in the reasons which led to the existing arrangement; and he would be very glad if any plan, not open to greater objection, could be devised to remove the very palpable objections which were urged against the present scheme. But then came the question—supposing they were agreed that they might distribute and redistribute this property for the purposes of the Church, and supposing that they had brought the incomes of the bishops to something like an exact correspondence with the standard contemplated in the Act of 1836, what was to be done with the surplus income that would gradually accrue to the Episcopal Fund? It had been said that the funds were to be fused; but when they were fused what was the principle upon which they were to be administered? Was it meant that, in fusing the funds, they should have an exclusive application of the entire fund to parochial purposes, or that they should lay down general rules by which the Ecclesiastical Commissioners should determine when they should apply the fund to parochial and when to episcopal purposes; or was it intended that the question should be left to be dealt with hap-hazard, according to the circumstances and inclination of the moment? He concurred in a great measure in the observations which had fallen from the hon. Gentleman who proposed the Motion; although he certainly entertained some difficulty as to the terms of the Motion, for he thought it did not clearly convey the principles the hon. Gentleman wished to lay down. He considered that the hon. Member for Cockermouth had entirely established his position, that there ought not to be an insuperable barrier which would prevent the overflow of episcopal incomes from being applied to the relief of parochial destitution; and he had heard with great satisfaction the reference of the hon. Gentleman to local ties and to local obligations, because he held that there were local obligations with regard to the application of episcopal incomes to particular parishes, in which the property of the bishop might be situated, where the bishop might have the appointment of the clergyman, and, above all, where he was the impropriator of tithes. He was far from saying that if 1,000*l.* was received from a rural parish by the bishop by way of impropriation, that 1,000*l.* should be given back to that parish irrespective of its actual wants and condition; but it was an old principle of ecclesiastical law—and, as he considered, a principle founded on wisdom, justice, and policy—that wherever impropriation existed, a competent provision should be made for the discharge of spiritual duties within the benefice impropriated, and that this claim of the people inhabiting the parish from whose labour the constantly accruing tithes were derived, should be the first claim upon the produce of the impropriation. The hon. Member for Manchester had referred to the state of North Wales, and to the great number of dissenting places of worship which had been erected by the poor population of that district. He (Mr. Gladstone) believed that the statement of the hon. Gentleman was perfectly true; but this this state of things might probably be traced to the extreme poverty of many of the clergy of North Wales; and the poverty of the clergy was connected with the fact that very nearly the whole of the income of the Welsh bishops was derived from impropriated tithes. The first report of the Commissioners recommended that a portion of the Episcopal Fund should be applied to meet the wants of those parishes in Wales with which the bishops had any particular and close connexion; but he regretted that that recommendation was not pressed in the second report. It must be remembered, however, that, after they had done what was necessary in particular localities, there would still be an amount of episcopal income—if not at this moment, yet in the course of years—which would be available either for parochial purposes, for the foundation of new bishoprics, or for both these objects. Now was it meant, by the fusion of the funds, that this ulterior surplus, if he might so call it, was to be cut off for ever from the foundation of new bishoprics? He did not claim that surplus exclusively for the foundation of new bishoprics, but he did strongly object to the establishment of the principle, either directly or by implication, that no part of this surplus should be appropriated to that object. He concurred in the opinion of the right hon. Home Secretary (Sir G. Grey), who had expressed his desire that there should be a regular and equitable expansion of the Church Establishment in all those orders and provisions necessary for its efficiency; but it was clear that there was, on the part of certain Gentlemen, an idea that the establishment of new bishoprics involved waste and extravagance. His opinion was that there was good economy in the foundation, from time to time, of new bishoprics, if they were established not without consideration or without regard to circumstances, but when it was found that a want and an opening existed. He might remind the House, as a case in point, of the recent establishment of colonial bishoprics. Before the appointment of colonial bishops the Established Church in the colonies was almost universally in a state of extreme inefficiency, and in a condition that was alike discreditable to the Church itself, and to the Government at home. But at length, by the interference of the Executive Government, partly by the exertions of the right rev. Prelates at the head of the Church, and partly by the aid of benevolent individuals associated with them, bishoprics had been established in the colonies. Now, according to the extreme economical view, there could not be a more wasteful and extravagant proceeding, because 1,000*l.*, or 1,200*l.*, or 1,300*l.* a year had been applied to make provision for a bishop, while that sum would have sufficed to send out five or six priests or deacons. Here, then, was a *primâ facie* case of extravagance; but he (Mr. Gladstone) was satisfied that any man who was acquainted with the working of the scheme would say —irrespective of any discussion as to the position of bishops in the Church—that, in the merest utilitarian view, it had in every case tended to the advantage of the Church in the colonies. The sending out of bishops had given vigour and efficiency to the operations of the Church in our colonial possessions; and one remarkable fact he might mention—that while there was a difficulty in obtaining clergymen to serve the comparatively well-provided curacies at home, the bishops who had gone out to the colonies, and who had nothing to offer to the young men who accompanied them except the precarious provision of 100*l.* or 120*l.* a year for three or four years, had had no difficulty in obtaining eligible young men to go out with them as missionaries, in greater numbers than they required. He might be allowed to say that he thought it would be extremely impolitic and dangerous if they scattered over large surfaces the resources they possessed for improving the spiritual condition of the people, instead of concentrating them within a smaller compass. There was, perhaps, no person of the present generation who so entirely understood what he might call the whole machinery of Church extension as the late Dr. Chalmers; and at the time when the Bishop of London commenced, about twelve years ago, a scheme for building a large number of additional churches in this metropolis, Dr. Chalmers, in the most friendly manner, sent the right rev. Prelate an emphatic caution to this effect:—

> "Beware, above all things, of scattering your resources over too large a surface; if you have 50,000 destitute people in a district, and you can send only two clergymen among them, beware of confiding this large number of people to those two clergymen. Take a small and manageable number of the people, and give each clergyman a small district in which he can operate; be content with doing a little work at a time, with doing it properly."

He thought it most important that in any effort that was made to improve the spiritual condition of the people, they should adopt such a complete organisation as would ensure permanent advantages, instead of being content with merely temporary results. He would join the Government in giving his vote in favour of the previous question; but he acknowledged the justice of most of the argnments and observations of the hon. Member for Cockermouth, while at the same time he regretted that he had made some references to one particular bishop which might be regarded as offensive.

Mr. WOOD said, that there appeared to be only one point of difference among the hon. Gentlemen who had addressed the House on this question, namely, whether it was advisable to adopt the Motion of the hon. Member for Cockermouth at the present time, or to postpone the consideration of the question in order that a Bill might be brought in to effect the same object. If any hope were held out by the Government that they would bring forward such a Bill within any reasonable time, he should be disposed to regard the Motion of the hon. Member for Cockermouth as premature; but, if the Government did not hold out such a hope, he thought that the House ought to consider themselves indebted to that hon. Gentleman for bringing the subject under their notice. If any hon. Member doubted the urgent pressure of the subject, let him go through the streets in that immediate neighbourhood, and he would find a population in the most awful state of ignorance and vice. There were no less than 39,000 out of 60,000 there who attended no place of worship whatever, Church or Dissenting; and he added "dissenting," in consequence of the observations of the hon. Member for Manchester, whose remarks, however, did not seem characterised by the temperate tone to be desired in dealing with such a question, and to whom he must be permitted to say that nothing would induce him so to comment upon the private conduct, the character, or the fortune of any of the ministers of the hon. Member's communion. Let the House remember that there was no mode at present pointed out by the Legislature of dealing with the surplus of the Episcopal Fund, though there was an Act which directed how the surplus of the fund arising from the incomes of the Deans and Chapters should be applied. It might be desirable that this latter fund should not be exclusively applied, as now directed, to parochial purposes. To him it appeared the most proper course to throw the whole into one common fund, to be applied in meeting spiritual destitution in whatever shape it might exist. Exigencies might arise—he was not prepared to say they had not arisen—when the fund might well be applied to an increase of the episcopate; and that might lead, as in the case of the colonial bishops, to a great increase of zealous and active clergy. On the other hand, let the House remark the case of a portion of the Bishop of London's estate. A new town had been erected upon it, and there would presently be a large surplus income arising from that town; it would be monstrous to say, that the large population congregated in those new houses should have no portion of the surplus, accruing to the Episcopal Fund from their being brought upon the estate, applied to remedy or prevent spiritual destitution among themselves, and to provide them with parochial superintendence and care.

Lord J. RUSSELL: I certainly cannot maintain the proposition which the resolution now proposed to the House is intended to controvert. That proposition is, plainly, "that the surplus revenue of the archbishops and bishops should be applied to episcopal purposes, permitting no part of it under any circumstances to be applied to the relief of parochial destitution." It seems to me, that, generally speaking, and at the commencement of these inquiries, those funds which were applicable to episcopal purposes are to be considered in the same way as the funds which were applicable to the revenues of the deans and chapters; and that if it is right and expedient, when there is a surplus fund arising from the revenues of the cathedrals, to apply it to the spiritual destitution of parishes, so likewise there can be no objection to applying a surplus of the other fund to parochial purposes. So far, therefore, as the general abstract proposition is concerned, I certainly cannot maintain that which the hon. Member (Mr. Horsman) proposes to contradict in his resolution. But if this resolution is intended to affirm the contrary of that which the Bishop of London affirmed in his evidence, the hon. Gentleman cannot effect any practical purpose by the resolution of itself. I was very sorry that the hon. Member, who has no doubt a purpose in view useful to the Church and intended for the public benefit, should have mixed with his observations any reference to former matters, with respect to certain prelates, and especially the Bishop of Durham, as if they had intended in any way to evade the Act of Parliament passed upon this subject. I can assure the hon. Member, that so far as the Bishop of Durham is concerned, the Ecclesiastical Commissioners considered what ought so be paid by him, and that it was proposed in that Commission that an estate of 2,000*l.* a year should be separated from the see of Durham, and that 11,000*l.* a year should likewise be paid by him; they examined the agent of the late bishop, who was supposed to be acquainted with the revenues of the see, and he said that that would be an arrangement very hard upon the bishop, and that he doubted whether he would ever obtain the 8,000*l.* a year which the Commission intended him to retain. However, the Commission adopted that arrangement, leaving the bishop the chance of the receipt of any greater income; but he had no part either in proposing that arrangement or objecting to it, and therefore it is most unjust to insinuate that he departed in any way from the provisions of the Act of Parliament. But with regard to the arrangement itself, as I stated upon a former occasion, I do not think experience justifies the Commission in the arrangement they made. It was a choice of difficulties, avoiding on the one hand making bishops stipendiaries, and on the other obtaining an income which might be given to other purposes. When it is said, as one hon. Member has said in the course of this debate, that the whole purpose of the Commission was to increase the sum that was applicable to parochial spiritual destitution, I think that that is an incomplete description of the object of the Commission, because everybody will acknowledge that there were other circumstances in the state of the Church which, at the time that Commission was appointed, were looked upon as evils, and which the appointment of the Commission was intended to remedy. For instance, people used to say, "How unjust and unfair it is that one bishop should be receiving 22,000*l.* or 23,000*l.* a year, while another has an episcopal income of only 500*l.* a year; and how very objectionable it is that in order to eke out that income of 500*l.* to a sum sufficient to sustain the station of a bishop, deaneries and canonries should be given to that bishop, and even benefices with the cure of souls should be held by him *in commendam!*" And it was considered that by a scheme of paying from the richer sees certain sums for the endowment of the poorer, that would be avoided. But these circumstances are forgotten, when some years afterwards hon. Gentlemen review the conduct of the Commission. With regard to the resolution now before us, I own I should be unwilling to agree to it, because I really do not know to what the House and the Government might be considered to be pledged if it were affirmed. I understood the right hon. Gentleman the Member for Northampton to say that this resolution was to obtain the whole of these funds for the purposes of parochial destitution, and that no part of them should be hereafter applied to founding additional bishoprics. The hon. Gentleman who spoke last said, as I thought, with a far better scheme in his contemplation, that if it was desirable to unite the Episcopal Fund with the cathedral fund, the Episcopal Fund might be applicable at any time to the relief of the spiritual destitution of parishes; and, on the other hand, the cathedral fund might be applicable, if necessary, to the endowment of additional bishoprics wherever they were required. The hon. Gentleman himself (Mr. Wood), to whom I always listen with great pleasure upon these subjects, is of opinion that while it is of the utmost importance to relieve the spiritual destitution of parishes, there are cases in which the endowment of additional bishoprics might be likewise most useful to the Church. That is my own view, too, I confess. While I quite agree in the great want of additional funds for the benefit of large parishes, yet, considering the constitution of the Church of England—considering how much that constitution requires active episcopal superintendence, and how much a useful bishop can do, not only in the way of that which may properly be called episcopal superintendence, but in the way of increasing the parochial ministrations of the country—considering this, I should be most unwilling to agree to a resolution which a part of the House might declare afterwards had been one that was to put a decided veto against any increase of bishops hereafter. That is one of my reasons for not voting for this resolution as it stands. The hon. Member for Oxford (Mr. Wood) says that immediate advantage would accrue from the passing of this resolution; of course meaning the resolution as followed up by a Bill assented to by both Houses of Parliament. But even in that way the resolution could not be productive of the benefit that he expects, unless it were passed with the understanding that, as he says, the cathedral fund is applicable to the purpose of supplying the wants of bishoprics, and even of the existing bishoprics; because, according to the arrangement that is made, there are several bishoprics to receive additions upon the next avoidance, one of 2,000*l.*, another of 1,450*l.*, another of 3,450*l.*; and, of course, if you were to apply all this fund to parochial purposes, and these sees were to become vacant, and you would have no fund to apply for these purposes, the whole object of the present Act of Parliament would be defeated, and you would again have bishops with some 1,200*l.* or 1,500*l.* a year, and you would again be obliged to resort to some other source for supplying the deficiency of income. With regard to the proposal in general, I stated at the commencement of the observations I wished to address to the House, that I did not think there was, abstractedly, any reason why these funds, applied now to episcopal purposes, should not be applied to parochial purposes as well. It was a convenient arrangement that was made, supposed to be so at the time; but if there be a surplus of these funds, and it is convenient that they should be merged together, I confess—as I have said—that I think they should be so merged. But then I am asked if the Government are prepared immediately to introduce a Bill upon that subject. Now, I must state here—and I may correct a mistake of an hon. Member in doing so—what passed lately with respect to the Archbishop of Canterbury. I stated that he was willing to accept that see on the condition that he was to be bound by any Act of Parliament which should pass, by which his income should be restricted to the income that is now fixed by Act of Parliament, and that any surplus should be applied in the manner that Parliament should think proper for the other purposes of the Church. In making that statement to the House with respect to what had passed, I thought it necessary, in order to prevent misapprehension, to allude to the sum which by the Act the Archbishop of Canterbury was to have. I did not state, as if the proposal were my own, that the Archbishop was to have 15,000*l.* a-year; but I said that that was the sum already allotted to the see of Canterbury by Act of Parliament, and that I did not intend to submit any proposal for the alteration of the Act in that respect. The hon. Member for Cockermouth understood me properly at the time, and declared himself satisfied with my declaration. With respect to the alterations now suggested by the hon. Member for Cockermouth, I hope I may be permitted to state that many things have occurred to me with respect to these Acts for the amendment and reform of the Church, which require further consideration, and as to which I am anxious to obtain the sanction and guidance of the

Primate, although, from the circumstance of his Grace having so recently taken possession of his see, I have been unable to consult him on the subject. I am unwilling to state my views to the House as definite opinions until I have had an opportunity of ascertaining the sentiments of a person of such high character and unsullied purity, and who, besides having acquired great experience in one of the most populous sees in the country, has distinguished himself by his zeal in diffusing the benefit of instruction in the principles of the Church of England. I therefore wish, before making up my mind on this subject, and introducing any measure to Parliament with reference to it, to have the benefit of a full conference with the Archbishop of Canterbury. I have no objection to the general proposition that the two funds should be united; but I am not sure that it may not be thought desirable to effect other reforms. If a Bill should be introduced for the purpose of uniting the two funds, I think it is very probable that other questions would be immediately raised, and we should be asked whether we had made up our minds respecting them. The hon. Member for Manchester said that one thing was usually overlooked in the consideration of such subjects as that to which the attention of the House had been called on the present occasion, and that is, the means of religious instruction provided by Dissenting bodies in the populous manufacturing districts. There is much truth in that observation. We have reason to be thankful that, in those districts where the means of the Church were limited, the voluntary and disinterested efforts of Dissenters have succeeded in reclaiming many sinners and bringing them within the fold of Christianity. Still, as the right hon. Member for the University of Oxford observed, there remains a wide field of ignorance and vice to which the attention of both Churchmen and Dissenters may be beneficially directed. There are, I fear, many thousands of persons who never attend either a church or a Dissenting chapel. In conclusion, allow me to express a hope that when the hon. Member for Manchester may next address the House on this or a similar topic, he will do so in a more kindly spirit than has characterised his observations to-night. We find no fault with those who, from conscientious motives, separate from the Church; but they should recollect that Churchmen are still their fellow-Christians, and entitled to at least the same toleration and consideration which Dissenters formerly claimed for themselves.

Mr. HUME said, that as the hon. Member for Manchester was not now in the House to speak for himself, he felt bound to state—having heard every word of his speech—that he did not think it displayed the spirit of hostility which the noble Lord seemed to suppose. With regard to the question before them, he was bound to admit that great improvements had taken place—not before they were wanted—but at the same time much yet remained to be done. It seemed to him that there was a general impression about the intention of the Government to create new bishoprics; but he warned the noble Lord the First Minister of the Crown against bringing forward any proposition of such a nature, lest a question might then arise as to whether the present number was not sufficient, and the salaries derived by them more than enough for their duties. The introduction of that measure last year had damaged the Government more with the Dissenters in this country than any other proposition which he had ever brought forward. There was another point to which he would also refer, and that was the nomination of colonial bishops. That was a course which he asserted had produced more discontent, ill feeling, and dissension amongst all persuasions of Christians in the colonies, than any other question. With respect to the Motion of his hon. Friend the Member for Cockermouth, he did not think the noble Lord who had just spoken had treated him fairly. The grounds upon which his hon. Friend had rested his Motion was the evidence given by the Bishop of London himself when examined on the subject in 1847—that it was expedient to continue the distinction between the two funds which were the subject of the present Motion. Legislation having taken place on the strength of that evidence, his hon. Friend's Motion went to affirm the inexpediency of not applying the surplus of bishops' revenues to the spiritual exigencies of parochial districts. With the justice of that proposition he entirely agreed. He regretted the House had not assented to the suggestion which he had made in 1836, to the effect that the entire revenues of the Church should be placed in the hands of lay trustees, out of the control of the bishops, and that they and the working clergy ought to be paid in proportion to their duties. If any change in the law were introduced, he hoped that proposition would be yet carried out. He concluded by expressing his determination of supporting the Motion of his hon. Friend the Member for Cockermouth, who he trusted would persevere in pressing the same.

LORD H. VANE supported the principle involved in the Motion before the House. It might be very desirable, for instance, to have the surplus revenues of the see of Durham applied for the spiritual wants of some of the poorer parishes. He agreed with the hon. Member for Cockermouth that it was expedient that these two funds, the General and Episcopal Funds, should not be separated; but from the statement which had been made by the noble Lord below (Lord J. Russell), by which it appeared that that proposition was not considered objectionable, and its arrangement was only a question of time until some understanding could be come to with the heads of the Church, he was inclined to recommend the hon. Member, to whom great credit was due for its introduction, not to press his Motion for the present.

SIR J. JOHNSTONE hoped that, after what had fallen from the noble Lord at the head of the Government, the Motion would be withdrawn. The statements of the hon. Member for Manchester as to the enormous sums paid to the late Archbishop of York were very much exaggerated. The hon. Member ought to have taken the more recent returns, which showed that the revenues of the see for the last three years had not averaged more than 10,500*l.* per annum.

MR. HORSMAN, in reply, said, there was one circumstance respecting the late Archbishop of York which had accidentally come to his knowledge in the course of his inquiries on this subject, and which he thought it right to mention to the House. It had been stated to him (Mr. Horsman) that some years ago that most rev. Prelate, feeling his infirmities increasing, expressed a wish to retire altogether from his office and to give up its emoluments; and was only prevented from doing so by the state of the law, which allowed him no option. He had before drawn the attention of the Government—and he felt it right to do so again—to the necessity of providing some means by which a venerable Prelate, who had attained great length of life, and who felt the efficient performance of his duties incompatible with his infirmities, might retire. He had been complained of for again alluding to the case of the Bishop of Durham; but he could only say that it was with no pleasure he made that allusion — these personal references were always the most painful part of a public duty; but it was only by personal examples that a general abuse could be fully proved. The Secretary for the Home Department expressed his surprise that he should adhere so pertinaciously to the opinion he had formerly expressed on this case, as he professed to have set him right upon it; but he was astonished at the right hon. Gentleman's attempt to mislead the House. How stood the fact? He held the Act of Parliament in his hand, and that Act recited the recommendations of the Commission, one of which was that the future income of the Bishop of Durham should be limited to 8,000*l.* a year; and it enacted that the said recommendation should become law. Another recommendation, which was also made law, adopted a scheme of payment by which the intention of Parliament of restricting the Bishop of Durham's income to that sum was to be carried out; whatever, therefore, might be the words of the Act, the intention of Parliament was clear, and the public believed that the Bishop of Durham would have only 8,000*l.* But the question was one of morality as well as law. Supposing any Member of this House, with a salary of 5,000*l.* a year allotted him for the discharge of certain duties, found that by the blundering of third parties he was, contrary to the engagement made with him, receiving three or four times that amount, would it not be a question in an honourable mind whether he should retain it all? But the case of the bishops is much stronger. Here the Act is clear, but the administration of it is entrusted to the bishop himself, as a member of the Ecclesiastical Commission; and the blunder which is made to his own advantage is made by himself, and, though made inadvertently no doubt, it is incumbent on the bishop not to benefit by his own act, and to clear himself of all suspicion by restoring the excess which his own maladministration of the Act had diverted from the Church into his own pocket. Now, as to the Motion before the House, his complaint was, that by the separation of the two funds the Ecclesiastical Commissioners had created two sympathies in the Church; and by so doing had lost the confidence of a great portion of the Church, and diminished their influence with the parochial clergy. The right hon. Member for Tamworth had objected to his abstract resolution; but, instead of an abstract resolution if he had brought in a Bill, would not the right hon. Baronet have said that such a measure ought to be in the hands of the Government, and not of an individual Member? He agreed with the right hon. Baronet that the subject should be in the hands of the Government. He had over and over again urged the Government to take it up—and having failed in that, he now moved a resolution in order to get an expression of the opinion of the House to bear upon the Government. That was the object of his resolution, and it had completely succeeded. He had elicted an opinion so strong—so unanimous—that it was impossible for the Government to withstand it. The noble Lord (Lord J. Russell) only asked for time to confer with the Archbishop of Canterbury, and with a view not only to introducing a measure on this subject, but on others to which he had referred. With that assurance he was quite satisfied. He warned the noble Lord that the other measures to be proposed must be full and comprehensive; and upon that understanding—it being distinctly stated by the noble Lord that he agreed in the object of this resolution that he was ready after conferring with the Archbishop of Canterbury, to introduce a Bill, not only embracing this but other measures of still greater importance — understanding that clearly from the noble Lord—he should not press his Motion to a division, but leave the subject most cheerfully and gladly in the hands of the Government.

Motion and Amendment withdrawn.

PUBLIC WORKS IN IRELAND.

Colonel DUNNE moved for—

> "Returns showing the amount of all monies expended under the Act 9 and 10 Vic., c. 107, specifying the sums laid out on each Work, and number of Works in each barony of each county in Ireland, undertaken by the authority of the Board of Works," &c.

The works had been conducted in a wasteful manner—an immense staff had been employed, and a lavish expenditure incurred, which would eventually fall on the country gentlemen. It was at least to be expected that those who gave their adhesion to the Government should be supported by it; and as many attacks had been made on the Irish gentry, it was only right that they should be furnished with accounts of the way in which money had been expended, part of which they would so soon have to repay. It would prove highly serviceable in the present excited state of Ireland if Government granted those returns, as it would show some disposition to satisfy their reasonable demands.

Sir P. NUGENT could not allow the Motion to be put without endeavouring to persuade the House and the Government to accede to it. In many parts of Ireland the expenditure on lands had been greater than the value received in return; and if it were only to satisfy men's minds it should be shown how the vast sums granted by this country, which were so soon to be repaid by Ireland, had been actually laid out. He had letters from gentlemen who complained that under the operation of Mr. Labouchere's letter, the number of overseers in certain cases exceeded the number of labourers, so that the money had been laid out on the staff, and not on those employed by it. As he feared the same evils would be still further developed in the drainage system at present adopted, and would lead to the total ruin of the country, he hoped Government would find it consistent with their ideas of public duty to grant the Motion, as it might serve as some check on the future operations of public bodies in Ireland.

The CHANCELLOR of the EXCHEQUER was sorry to say, after the appeal made by the two hon. Gentlemen who had just addressed the House, that it was not in the power of Government to accede to the Motion; not that they were unwilling to give any reasonable information that might be asked for, but because it would be impossible to give it in such detail as had now been proposed—those details being so enormous, while the time and expense would be very great indeed. So soon as he received notice of the intention of the hon. Member to make this Motion, he wrote to the Chairman of the Board of Works, to ascertain whether he would be able to give such a return? His answer was that, "even supposing it were possible to give the information required, it would take many months to prepare it, while the expense would be enormous." He further stated, that at that moment they were engaged in the preparation of several returns which would embrace much of the information asked for; that these returns were attended with great trouble and expense, each return varying with the information required, so that what did for one return would not answer for another; and the letter concluded by suggesting that, if any Member wished for information as to any particular district, it would be better to frame his Motion accordingly. This letter was signed by Colonel Jones. It appeared, indeed, that a return of this kind would cost several thousands of pounds. If any information was required as to particular works on districts, it would be given with the greatest readiness; but to give a return of "all engineers, pay clerks, overseers, check clerks," and "the number of ablebodied women and decrepid persons, women and children," and also of "all horses, mules, and asses employed," would occupy volumes of paper, and would cost, besides, a large amount of money. But, indeed, some parts of the return asked for had already been given; the number of persons employed on the general staff had been given from time to time, as had also the total number of persons employed on the works. As to the original estimates for the works, the amount of the presentments was 10,000,000*l.*, while the real amount laid out on the works executed was from 4,000,000*l.* to 5,000,000*l.* He would again observe, that if information was wanted regarding any particular work, it would be readily furnished; but he certainly did object to order a return which would cost the Commissioners six months' labour, and a great expense besides.

Mr. HUME said, the hon. and gallant Member who moved for the returns said he and his countrymen would be called on to repay this money, and it was very reasonable that they should ask in what manner it had been laid out. The right hon. Gentleman the Chancellor of the Exchequer had referred to the chairman of the Board of Works (Colonel Jones); but if he were not mistaken, the conduct of that gentleman had been much animadverted upon in a recent trial in Ireland by a learned Judge, as it appeared he had been in the habit of signing blank cheques. He could not believe that any public officer in charge of public money could be guilty of such negligence, and mentioned the circumstance in order that it might be explained.

The CHANCELLOR of the EXCHEQUER was glad of the opportunity of stating the real facts of the case of Colonel Jones. It was quite true that Colonel Jones had generally signed blank cheques, but then those cheques could not be paid without the signature of another Commissioner; and when Colonel Jones was absent from Dublin it had been his practice—not a very laudable one—to leave them signed in that way for his colleague to sign, so that public business might not be retarded; but he had never left any in the hands of Mr. Mason to be filled up at his discretion; and had he done so, they would not have been payable.

Mr. ST. GEORGE gave his most unqualified support to the Motion of the hon. and gallant Member for Portarlington.

Mr. B. OSBORNE said, that though he disapproved of the mode in which the public money had been expended in Ireland, yet as "charity covered a multitude of sins," he would refrain from criticism on that subject. There could be no doubt that in many instances the money had been expended most profligately. As regarded the Motion, he was most anxious to see a clear statement of expenditure. All his experience of the way in which business was managed in Ireland, showed that, let who would be imported into that country, by some unfortunate fatality he would transact business in a slovenly manner. Here was a good Welshman, coming from the very same place in Wales, he believed, as his hon. Friend the Member for Macclesfield (Mr. J. Williams); yet no sooner did that gentleman, who was a man of unimpeachable probity, arrive in Ireland, than he attached his name to a blank cheque. This was a specimen of the manner in which the Board of Works performed their duty. When the sum of 8,000*l.* had been abstracted from the public purse, and Mason had been transported for life for the offence, some inquiry was clearly necessary. He hoped the hon. and gallant Member would withdraw the Motion.

Sir D. NORREYS recommended the hon. Gentleman to move only for the first return, and to withdraw the remainder.

Mr. REYNOLDS said, that in Ireland no local question connected with that country was considered of more importance than this. The hon. Member for Middlesex (Mr. B. Osborne) had remarked that the air of Ireland seemed to convert every man of business who was sent there into a bungler. However that might be, he knew no better authority on such a question than the hon. Member himself. As comparisons had been entered into, he must observe that the heads of public offices in Ireland, with scarcely an exception, from the Lord Lieutenant down to the poor-law officers, were either English or Scotch; and so highly did the English and Scotch heads of offices appreciate the talent of their countrymen, that nearly all the subordinates also were imported. However little impression the mention of this fact might produce in England, it produced a very great one on the other side of the Channel.

Lord J. RUSSELL said: I observe that hon. Members, in speaking of the works in Ireland, leave out altogether the main purpose of those works. They speak of those works as great and useful public works in Ireland, and then say that the labour was not only ill performed, but that a great deal of it would not answer the purposes for which it was designed. That is all very just and very true, if they were right in the object; but the object was not to make public works, but to keep the people alive. We found, on coming into office, an almost entire failure in the main article of food, and the question for our consideration was, how to keep the people alive. We consulted my late lamented Friend, Lord Bessborough, and other persons on whose opinions we could rely, and the result was the framing of the Bill in question. I am quite willing to admit that the Act, framed as it was with the best intention, for the purpose of keeping the people alive, was not the best measure that could be devised; but it must be remembered that the emergency was great—that the circumstances were difficult and pressing—and that the Government showed its anxiety to meet the emergency in the manner which they believed most likely to be successful. It is no doubt easy at this moment to criticise those measures; but the object was one well worthy of the attention of Parliament, of the Government, and of this country; and the purpose was, to a great extent, answered, as those who received relief in wages were thereby enabled to purchase food. The hon. Gentleman who spoke last has adverted again to a topic at all times of somewhat an invidious nature, and which it is not very advisable to dwell upon at the present moment. He has alluded to the number of Englishmen and Scotchmen engaged in public offices in that part of the kingdom. But, in enumerating the cases in point, he has omitted a statement which ought, I think, in justice to have been made. I allude to the first appointment made by the present Government, which was that of an Irishman to the office of Lord Lieutenant; and an Irishman not only, but a nobleman who spent a great portion of each year in the country, discharging the duties of landed proprietor. We were unfortunately deprived of his services by death; and although we appointed an Englishman to succeed him, I took care immediately afterwards that the Chief Secretary should be an Irishman. But what was the consequence of this step, as evidenced at his election? Why, if I had recommended an Englishman to the office he might have been elected without opposition; but there was more exasperation expressed against my right hon. Friend than if he had been an Englishman. This was the reward which the Government got for appointing an Irishman to the office. I may also observe that a short time before this an Irishman was appointed Lord Chancellor, and that an Irishman now holds the office of Under Secretary. The hon. Gentleman, in his catalogue of English and Scotch officials, should not have omitted that the Lord Lieutenant of Ireland was an Irishman, that the Chief Secretary and Under Secretary were Irishmen, and that the Chancellor was also an Irishman; in fine, that every Member of the Executive Government belonged to Ireland. We might as well complain that an Irishman is the Commander of the Forces in this country, and that two Irishmen are at the head of the metropolitan police. I hope, therefore, the hon. Gentleman will not continue to make complaints of this sort; for, though they are not founded in fact, they are likely to be believed by those to whom they are addressed, and thus, to some extent, may be defeated the object which Her Majesty's Government have in view—namely, to do justice to all parts of the United Kingdom.

Motion withdrawn.

POLAND.

Mr. ANSTEY said: Mr. Speaker, at this late hour of the night I should not think of pressing the Motion of which I have given notice, if I were not satisfied that it is of great practical importance for the House and for the country. We have been engaged of late with discussion after discussion upon the Estimates proposed by Her Majesty's Ministers for the Navy and the Army—defences at all times necessary, but more especially called for under present circumstances, by the alarming aspect of affairs in Continental Europe. We are even at this moment engaged in inquiries as to the best and cheapest mode of providing for those defences. We have to consider how they are to be obtained, without, upon the one hand, hampering the country with debt, and, upon the other, weakening our position at home and abroad. I think that these precautions, wise and loyal as they are, are wholly insufficient at the present crisis. It is one in which it behoves us to look abroad—to anticipate events—to prevent contingencies which when they happen, we may not be able to cure. Here, Sir, I will meet one question boldly, that has been raised on former occasions in this House. I say that of invasion from abroad I have no fear—of hostile intention on the part of the French Government (for that, I believe, is at present our only bugbear), I have not the smallest apprehension. But then, Sir, I say that there is a danger of another character—a danger more frightful than any hostile aggression to which, in the judgment of some hon. Members, we may be exposed. That danger consists in the possibility of an undue intervention in the affairs of independent States on the part of our own Government. I say this with no unfriendly feelings towards the noble Lord at the head of Her Majesty's Government, or the Ministry taken collectively over which he presides. But, I say, it behoves us, having experience of the past, and too familiar with the present practice, to look well to this danger. I know that, by that practice, it is in the power of any one Minister, without consulting Parliament, or Privy Council—those lawful advisers of the Sovereign, to involve this country—I will not say against its will—it is sufficient to say without its knowledge—in treaty-engagements, frightful in every kind of present mischief and future danger. Sir, it is an alarming incident that at present we have had proposed to us fears for which, I sincerely believe, there is no foundation — fears of aggression from France, a friendly Power, and that no notice has been taken of dangers from the North—dangers of a real cast, of an alarming and menacing character, such as should have commanded the deepest consideration of Government and this House. That danger which I more immediately apprehend is, that under the pretext of pacifying the Continent, and keeping invasion afar from the shores of Ireland, we may be misled into alliances—un-English —unnatural alliances — and principally with the great Power of the North. For, Sir, the natural and inevitable issue of such alliances once formed will be the rupture of our friendly understanding with France, and her union with all the other Powers of Europe against us. It is to prevent that danger that I have given notice of this address. And, Sir, whether I appeal to those on the opposite side of the House (the Ministerial), who have assumed to themselves, as their peculiar charge, the defence of the great principles of civil and religious liberty, or to those who on this side of the House assume, in like manner, the especial guardianship of law, and order, and justice, I cannot anticipate that any sound objection will be taken or serious opposition made to the Motion with which I shall conclude. I ask Her Majesty's Government, I ask the House, to do nothing that shall contradict, but on the contrary that they will endeavour, by every means that shall be afforded them, to uphold that principle of non-intervention, of which, in these latter times, we have heard so much. It is to pray Her Majesty that she will not agree to any new arrangement, territorial or otherwise, consequent upon the events in the north of Europe, which shall not provide for the restoration and maintenance of the rights and liberties of the Polish people—a people whose legitimacy is undoubted, whose title to our protection and assistance is not to be denied. And, Sir, that there may be no misunderstanding or misconception in any quarter as to the extent and effects of the desired representation, I ask the House to limit it to the restoration to that people of such liberties and such independence as are lawfully theirs. The proposition is so reasonable that I cannot imagine that any opposition to it will be offered by Her Majesty's Government, unless, indeed, upon the supposition that they have already determined upon, or at least imagined, those impolitic and unwise and unjust aggressions, the possibility of which the adoption of this address will effectually avert. If ever there was an occasion upon which it behoved the House and the Government to beware how they committed or tolerated any new infraction (for we have too many already to lament and expiate) of international and of constitutional law, it is at this moment. In the name of law international and constitutional, the Government is now calling upon the House for advice and assistance to deal with impending rebellion at home, and possible invasion from abroad. I, for one, standing here an independent Irish Member, take this opportunity to say that I shall be always ready to give my hearty concurrence to any measures that may be framed for the prevention or the repression of these great evils. I take this opportunity further of declaring that I condemn, as I am bound by every principle to to do, those criminal appeals to foreign Powers, which the noble Lord the other night, in temperate and unexaggerated language, denounced in his place in this House. But, Sir, on the other hand, I am quite prepared to condemn and put down as far as my humble means may serve me, any endeavour that may be made in any quarter to renew abroad, in the name of this country, the criminal policy of former years with respect to foreign Powers and independent States—a policy quite as criminal as private conspiracy or rebellion, and far more mischievous. If this were a mere theory—if this were a question whether in the north of Europe or in the south, the principle of absolutism or that of constitutionalism, as they are called, was to prevail—I should not be here to-night addressing the House, even if the time of the House were less valuable than at this moment. But, Sir, it is because I see here on the one hand a great danger, and on the other a great and glorious opportunity, that I come forward to present to the House—with the hope of interesting at least a few of its Members, and of directing the attention of some at least of the Members of Her Majesty's Government to the subject—to present a most important subject to their consideration—a subject, which used formerly to be well remembered and laid to heart, but is now, unhappily, too much and too generally forgotten. Sir, the Treaty of Vienna, which succeeded the Treaty of Westphalia, had become the only bond, such as it was, of security for the peace of Europe and of the world. That treaty is now, I will not say formally abrogated and ended, but become impracticable, if not impossible. The Treaty of Vienna, by the common act, if not by the common consent of the Powers who were parties to it, has been rent and torn asunder. The territorial arrangement which was to last to the end of time—for the condition is stated in the treaty itself to be that of perpetuity—exists no more. It was violated first of all in the case of that Power, the creation of which was the principal arrangement contemplated by the Congress of Vienna, because upon the creation of that Power was rightly judged to depend the peace and independence of all the rest of Europe—I mean Poland. That Power destroyed—that arrangement at an end — the natural consequences could not but have followed. And now—(I will not enumerate the facts — they are too recent and too notorious to need description or enumeration: they are in the minds and memories of every hon. Member whom I address)—and now recent events—and those events more particularly which constitute the history of every day and hour we live, show that if we are to look to any arrangement—to any territorial or other arrangement for the future peace and independence of Europe, assuredly it must not be to the extinct Treaty of Vienna. I call upon the House to take into its serious consideration this case. It will be impossible for Her Majesty's Government to avoid, sooner or later, becoming a party to some great arrangement or other, if not with all the Powers of Europe, at least with some of them, for the purpose of maintaining the minor States against the aggressions of the greater; for the purpose, above all, of preserving the peace and honour of our own country. And, Sir, I think that when everything else is altered, this condition remains the same as at the date of the Treaty of Vienna. It will still be necessary to oppose a great barrier to the progress of northern ambition—one which shall defend regenerated Europe firmly against Russia. Otherwise it will be impossible—for every reason impossible—that any arrangement that may be made can last. It will be geographically impossible, because political events, however much they may blot or deface the political map of Europe, cannot alter the territorial distribution of that continent. It will be impossible in point of future precedent, because the value of every precedent consists first of all, and above all, in its conformity to justice and to law. It will be impossible in point of present expediency, because now, as in 1815, when every Power felt that, besides the great necessity of doing justice to others before seeking to secure their own lawful pretensions, there was on the side of Russia a common danger, against which it behoved them to provide a common bulwark, so in 1848 there is still the same danger; I wish I could add there is the same sense of justice. Sir, the imaginary difficulties which in 1830 and 1831 were set up to excuse the criminal abandonment and even the betrayal of Poland, exist no longer. If it be true, that to secure the restoration of rights, you must first of all secure a military road which shall bring you into the territory of the Power whose independence and rights you vindicate; if this be true—and yet, Sir, I cannot see what pretence there is for saying so, with the map of the world before us, and with Cronstadt accessible to a British squadron in the Baltic, and with Sevastapol accessible to a British squadron in the Black Sea, and, above all, with treaties in our hands which bound us only so far as the Treaty of Vienna itself was respected and obeyed—treaties by the infringement of which we might have punished and avenged the violation of the first —I say, Sir, that if it be true that in 1830 and 1831 our neglect was sufficiently accounted for and justified, or at least excused, by the remoteness of Poland, and the presence of hostile or unwilling Powers intervening between this country, or France, and the territories which we would protect—now at least those difficulties exist no longer. The military road is open. Poland is brought home to us as near as Prussia herself, or Austria. For now the example of restoration is set, not by a Warsaw insurrection, as of old, nor yet by a movement of democratic Frenchmen to co-operate, but by the spontaneous, the generous, and the magnanimous assertion which the free and virtuous peoples of Germany have made in the name of right and justice. The empire of Austria comprehends Polish territory no longer. The Sovereign of that empire rules over Gallicia now by quite another title. The kingdom of Poland has been proclaimed there by the mouth of the Emperor himself. The same has been done in Posen. There the Prussian sovereignty is at an end. It is as a Slavonic, and no longer as a Germanic Prince, that the King of Prussia reigns over the Grand Duchy of Posen. And, Sir, we have Cracow resuming an independence so shamefully violated, and still more shamefully betrayed, and with that independence resuming her proper place at the head of the Polish people. We have thus, in Cracow, in Gallicia, and in Posen, the first elements of the future kingdom of Poland. From thence we have spreading widely and at work within the Polish territories occupied by Russia that wonderful sympathy, binding all the Slavonic people together, and most of all those of the Polish race. And thus we have foreshadowed to us that not distant time, when all these scattered fragments of the ancient kingdom of Poland will reconstitute themselves under one sceptre, and become what they once were—the great barrier against the barbarians of the north, and the great defender of the civilisation of the south. All that I ask is, that Her Majesty may at this great juncture be advised by her Council of Parliament. [Viscount PALMERSTON: The civilisation of the south? That is the civilisation of the Turks!] The noble Lord the Secretary of State for Foreign Affairs says, the civilisation of the south is the civilisation of the Turks. In the first place, Sir, I beg to tell the noble Lord, that there are other nations having territories lying southward of Russia besides the Turkish nation. But I am willing to adopt the noble Lord's interpretation of my words. I will tell him then, that the part of Poland will be to protect, with the rest of the world, the independence, and, I will add, the civilisation of Turkey, against the inroads which the barbarous and savage Cossacks, Calmucks, and Tartars, constituting the Russian nation, are making upon the south. All that, under these circumstances, I ask the Parliament—the natural counsellor of the Queen—to do, is to agree to the address to Her Majesty, of which I have given notice. I do not propose the expenditure of a single man or a single ship upon that great emprise of restoration, and which emprise once was ours, when we stood forward the defender of law and justice, but which has now passed out of our hands into the hands of the free and virtuous people of Germany. It is not to such a determination as that that I seek to bring the House or the country. It is not for that end that I seek the protection and countenance of the Sovereign. I only ask that Her Majesty, and the country, and the world, may be protected against any impolitic, precipitate, and let me add profligate, attempt on the part of any Minister to involve this country once more in diplomatic embarrassments—in leagues triple or quadruple—for the pacification of the world, or for any other professed object in which Russia shall be a contracting Power with England. I ask for no intervention, not even intervention to perform that which our duty binds us to perform, and which we cannot refuse without dishonour and criminality. I ask for no intervention of any shape, legitimate, criminal, or dubious. I only ask that the House will take order that this country may not be led into temptation and into evil by the act of one its servants. I ask the House to address Her Majesty, praying Her to to take care that if the independence of Poland and the safety of the world are to be provided for by the counsels and the acts of Germany, and not by England, that at least the people of England may not have the damning sin laid to their charge, that in the hour of hope and at the moment of triumph they stepped in and bore it away from the champion's disappointed grasp. This is the extent to which I seek to pledge the House. This is the extent to which I seek to bind Her Majesty's servants. Let me add, Sir, that whether this address be carried, or whether it be refused, this House and Her Majesty's servants are not the less bound. It is their natural and ordinary obligation. They are bound to take care that, under pretence of preserving the peace of the north of Europe, or under pretence of sanctioning some new territorial arrangement in the place of the old, they do not sin against those great principles of international and constitutional laws which are the only barriers and bulwarks of States. Whether it be in the north or in the south, they are bound to see that the principles which the noble Lord opposite, the First Lord of the Treasury, the other night announced, and which I heard with so much gratification with respect to Italy—they are bound to take care that those principles are adhered to every where, but most of all in those countries where fidelity to those principles shall most be needed. They are bound to take care that the great duty which we have of late abandoned, and which I fear we are never more likely to resume, the great duty of vindicating the rights of the weak against the tyranny of tbe strong—that duty which is now so nobly assumed, so successfully carried out by other Powers—Powers whose strength has derived from late events so miraculous a development, is not frustrated in act by any intervention on the part of the country, or of those who represent it. Sir, if the danger of that intervention be nigh, it is fit that this Address should be carried. If the danger be distant and improbable, the adoption of this Address can do no harm. But at least one result will follow from its adoption or rejection. Adopt it, and then Sovereign Powers will know that they may safely treat with us and co-operate in the design of driving back Russia to her pristine barbarism and her native snows. Reject it, and then at least a timely warning will have gone forth unto all the countries of Europe—a warning which will not have been heard in vain. I therefore move Sir—

> "That a dutiful Address be presented to Her Majesty, on the occasion of the recent important political events in Austria, Poland, and Prussia, and praying Her Majesty that She will not consent to any new territorial or other arrangement, consequent on such events, that does not recognise and secure to the Polish people their lawful liberties and independence."

Mr. OSBORNE: I rise, Sir, to second the Motion of the hon. and learned Gentleman; and at this late hour of the night I feel that I should be wanting in respect to the hon. and learned Gentleman, to the House, and to the country, if I did not observe that there is not a sufficient number of Members present to constitute a House.

There being only thirty-one Members present—

The House adjourned at fifteen minutes to Twelve.

HOUSE OF COMMONS,

Wednesday, April 5, 1848.

Minutes.] Public Bills.—1° Public Works Completion (Ireland).

2° Poor Houses (Ireland).—Great Yarmouth Freemen Disfranchisement.—Marine Mutiny.—Mutiny.

Petitions Presented. By Sir T. Acland, from the Clergy of the Deanery of South Molton and Chulmleigh, for Alteration of the Law of Education.—From Inhabitants of Blackburn, for a Free Pardon, for Frost, Williams, and Jones.—By Mr. Sharman Crawford, from Dundonald (Downshire), and from Cookstown (Londonderry), against the Landlord and Tenant (Ireland) Bill.—By Sir Percy Nugent, from Hugh Morgan Tuite, Esq., of Sonna, (Westmeath), for Alteration of the Poor Law (Ireland).

OUTGOING TENANTS (IRELAND) BILL.

The Order of the Day for the Adjourned Debate on the Second Reading of Outgoing Tenants (Ireland) Bill was read.

Mr. NAPIER: Mr. Speaker, I now rise to give my reasons for voting against the Second Reading of this Bill. The question involved is one of interest and importance; for every question connected with the social condition of the people of Ireland must be peculiarly important. The subject is one on which the public mind has been much excited—I may add, much misled: it is the more necessary that our discussion of it should be calm and cautious, so that the conclusion at which we arrive may not be unintelligible, and the grounds of our decision shall not be open to any just cavil. That legislation on such a subject as the relation of landlord and tenant is a matter of extreme difficuly cannot be doubted: the very fact, that four

Bills on this subject are now before the House, proposing inconsistent legislation, and conflicting in their principles, plainly tells us, that the difficulty which surrounds this subject is not of easy solution. Certain principles must be considered as inviolable in dealing with the relation of landlord and tenant. It is not founded on a cold, selfish, commercial contract; it has moral elements more important than the legal, and that principle of permanence which connects with the agricultural interests of this kingdom a constancy of opinion, and contributes to infuse into our constitution that stability and continuance, which the sober spirit of the national religion perpetuates and confirms. The truest interests of the tenant are identified with those of the landlord: you cannot invade the rights of either without doing an injury to the interests of both: this principle is paramount; it satisfies me that this Bill now before the House, as it is unjust to the landlord, so must it be injurious to the tenant, for it seeks to confer a benefit on the one by spoliating the other. The real object of this Bill is what is called fixity of tenure, by which the proprietorship in the occupation of land is transferred from the landlord to the occupying tenant: and whilst it professes to deal with the case of compensation for improvements made by tenants, which is quite a distinct consideration, its real design is to give to the Irish occupier what the Bill calls "tenant-right." This is a very ambiguous and therefore a very unsafe name for a privilege which varies according to the exigencies of the occasion. The hon. Member for Rochdale is not very consistent with himself in his definitions of tenant-right: and those who inflame the popular mind in Ireland are equally at variance with themselves on different occasions, as they are with each other. I have selected a specimen of these definitions, just to show the manner in which the people are perplexed and their minds kept in unprofitable anxiety, by inducing them to look to change and legislation, rather than to their own efforts and industry. Mr. John O'Connell says, that he understood tenant-right to be this:—

> "That when a tenant held land by lease or otherwise, if he had laid out anything in improvements, and he subsequently happened to become unfortunate or insolvent, and could not pay his rent, he could sell his interest, and get compensation for improvements."

If that be tenant-right, it is not the right on which this Bill in reality legislates. No, there is another form of tenant-right, which it is the genuine object of this legislation to legalise and perpetuate. Here it is, from the lips of the same Gentleman on another occasion:—

> "What," says he, "is this tenant-right, as it exists in the north? It is just this—that the tenant, no matter whether a tenant at the will of the landlord, or by lease, cannot be turned out by the landlord, until he shall have put up the possession of his holding to a kind of auction and sold it to the highest bidder he could procure. That is tenant-right in the north."

This is rather different from the first definition, which rests on the sale of improvements, by a tenant whose tenancy is not sought to be determined by the landlord; but here it is the sale of the mere possession, when the right of possession is about to be legally put an end to. But the hon. Member for Rochdale has also somewhat of the double doctrine in his definitions: for I find him at one time declaring, "The tenant who had not improved would be utterly inexcusable, and would have no claim to tenant-right;" but when I look to this Bill, I find it stated to be a custom according to which "tenants claim a power to sell their right of possession in the premises." At a meeting in Belfast it is stated to be an equitable right, whereby the tenant who has expended capital in making valuable improvements, or has purchased or acquired property so improved by his predecessor in occupation, has the privilege of selling his interest in his holding. In Tipperary it is stated to be founded on this:—

> "That of natural right, on the grant of God, the soil of Ireland belongs to the people of Ireland, who have therefore a clear vested right of property in the soil to the extent of secure subsistence therefrom, which never could or can be parted with, pass, or perish: and which no power on earth, nor any length of adverse possession, can take away, annul, bar, or diminish."

And the *Nation* newspaper says that—

> "In plain English, tenant-right is an absolute perpetuity in a farm, subject to a fair rent, to have and to hold to the tenant, his heirs, executors, administrators, and assigns for ever."

Now I much suspect, this is the perilous fallacy of the proposed legislation; it covers with a show of justice, by occasional reference to casual improvements, the design of perpetuating the interest of the mere occupier of the soil, in the possession simply. For observe the very analogy relied upon by the hon. Member, of the interest of a lessee having an equitable perpetuity under the Church Temporalities

Act, which he can convert by purchase into an estate in fee, is applied to the case of a tenant at will, or from year to year, whose interest is about to be determined by the landlord, on account of non-payment of rent or any other default; and so having no further estate in law, equity, or justice, yet simply because he has possession, he is to obtain without purchase a virtual perpetuity. Nothing could be more irrational and unjust. These considerations show how important it is to keep separate and distinct two matters which are most carefully confused and blended in this Bill, and by means of this confussion the public mind has been frequently misled. It is by a candid consideration of these matters separately that a satisfactory result can be arrived at by any man who desires to deal fairly with the question. The first matter is the right of a tenant to compensation for valuable and unexhausted improvements which he has made during his tenancy, and the fair and reasonable benefit of which he has not fully reaped at the time when his tenancy is about to be determined. The second is the alleged right to compensation for the mere occupation of the soil, irrespective of improvements. Let these two matters be kept as distinct and independent as possible: the one is so much founded on moral justice, the other so capable of being abused to the prejudice of both landlord and tenant, as to react more injuriously upon the former by being blended with it, than it is itself advanced by the arguments derived from the show of fairness thus superinduced on them entire. It is not enough on the first point to show that the right claimed is equitable and just: the point is, can it be assisted by legislation? Can you legislate in a really useful way, so as to advance the object you profess to have in view? It is a fair argument on this subject, that none of the Bills have proposed a mode of dealing between landlord and tenant, which is not so cumbrous or so expensive as to be impracticable. This was a grave objection, because the object of wise and prudent men should be to direct the spirit of the times on matters of practical importance, rather than attempt or encourage visionary projects. It is plain that every benefit might be best attained through voluntary agreements, and therefore legislation might be useful so far as to encourage and enable parties to make such agreements. Thus, in the case of persons having limited estates, such as tenants for life, under settlements, it might be very desirable to give them powers of agreeing for the making of improvements which would be beneficial to the inheritance, and to charge the expense upon the inheritance, so that the liability might be equitably diffused over the entire estate. Beneficial leases might also be made under proper powers conferred by statute; and such legislation, which would make the agreement of the parties the basis of their mutual rights, would deserve a favourable consideration. Perhaps also something might be done in favour of the tenants as to agriculture fixtures. Two classes of improvements might be considered in this question. First, those which in the ordinary course of good husbandry a tenant would make. These would be in accordance with the duty of the tenant, as implied in the relation of landlord and tenant. The second would be such improvements of a special character as might be desirable under certain circumstances. As to the first, legislation would not be necessary; and as to the second, it might be useful, in giving power to make agreements. It did appear a strong measure to say that against the will and consent of the landlord the tenant could force a charge upon him for special improvements; that however the circumstances of the landlord, or his judgment or discretion, might induce him to decline the burden of some special improvement, yet the tenant who held under him should force an acquiescence. This would invert the true position of the two parties. If, then, the landlord should not be forced into this new position, the real practical good must be accomplished through the medium of agreements; and any proposal to enable such agreements to be made, whenever special improvements would be really desirable, seems deserving of the aid of the Legislature. The concurrence of the two parties would thus be the basis of improvement, and no collision or litigious opposition would be encouraged. Now, the right hon. Baronet the Secretary for Ireland has well remarked that the present Bill would convert Ireland into one wide field of litigation; in that I agree with him, and when he comes to deal with his own Bill, he will find it open to precisely the same criticism—notices, arbitration, umpirage, appeal to the assistant barrister—that last refuge for an Irish difficulty: he is presumed to be, from six years standing, familiar with thorough draining and subsoiling, and all the intricacies of agricultural science. Then comes another arbitration and action at law, with civil bills; such a body of mischievous, vexatious, and expensive litigation, as would infuse bitterness and hostility into a relation which can only prosper where good feeling and confidence are cherished and maintained. The expense would be a practical obstacle to its working; and if that were overcome, its complication would only adapt it for vindictive not remedial purposes. The plan of Lord Devon only included buildings; but, certainly, this is not the class of improvements most desirable to select. Habitations for sons and sons-in-law would furnish claims: whilst the mischievous system of diffusing a multiplied population over subdivided land would be much encouraged. Lord Lincoln's Bill went further: it included certain agricultural improvements, with descending scales, and much complicated machinery for approving and valuing; but subject to the same general objection already suggested. In fact, the successive struggles made to deal with this matter in Parliament, show that more information is required before a simple and efficient remedy can be provided by legislation. Perhaps the revelations of the poor-law may in time give much assistance; it may be accurately ascertained how far the injurious and heartless system of middlemen contributes to prevent the prosperity of the tenantry; and it may yet appear that a simpler and a different course of legislation may accomplish the real objects of those who truly desire the agricultural prosperity of Ireland. The middlemen frequently belong to that heartless class, the mere commercial landlords, who look at the relation as a profit-and-loss question only; the poverty of Ireland was in some instances traded on for profit, whilst the legislation proposed assumed that there were only owners in fee, and occupiers, without intermediate parties disturbing the due harmony of the important relation of landlord and tenant. It should not be forgotten by any man attempting to legislate for Ireland, that there is such a class as middlemen: the important facts which will prove their real influence on Irish destitution have yet to be ascertained by the machinery of the poor-law. And when this is accomplished, it may be that some plan may be devised which will prevent injustice to occupying tenants, without the necessity of such inconvenient and injurious legislation as now proposed. This Bill assumes the landlords to be all unjust, but the tenants all virtuous and improving agriculturists. No facts have been adduced to sustain the necessity for this legislation. One case was mentioned by the hon. Member for Rochdale, in which his Grace the Duke of Manchester was charged with defeating the claim of tenant-right, because it was made by a Roman Catholic priest. But what were the facts? The priest was the tenant of the lessee of the Duke; the lessee sold the property to the Duke, and first cleared the possession; the priest asked permission from the Duke to remain in occupation until his Grace would require the land; this was at once granted; the priest broke up the land, which was pasture, then claimed tenant-right, and refused to give up possession. A civil-bill ejectment was brought, and a decree, of course, obtained; from this the priest appealed, but the decree was affirmed. This was the only case brought forward by the hon. Member; but it was made the occasion of an injurious and unjust attack upon the noble Duke; and it is really most indefensible that such statements should be made, in which the bitterness of religious discord should be an ingredient, to asperse the character of good men, damage their influence, and lower their moral position in the estimation of the lower classes of the people. When any case of ascertained injustice occurs, let it be brought forward, and I shall give my cordial co-operation in having it exposed to public condemnation in this House; but the system of rash and unfounded calumny of individuals, or the wholesale abuse of classes, founded on individual default, is at variance with justice, policy, and truth. I freely concede that when a tenant who is ordinarily punctual in paying his rent, and performs the general duties of his position fairly, has made improvements, nothing could be more unjust or unwise than to dispossess him of his land. But on the other hand, a defaulting, negligent tenant, cannot, on the same principles of justice, be invested with the power of throwing up the land, exhausted or uncultivated, at his will and pleasure, or holding it *in perpetuo*, setting his landlord at defiance. The landlord, it is said, may abuse his power; therefore, deprive him of the right to exercise it: that certainly is a strange argument to address to the subjects of a free State, that no right is to be allowed which may be abused. I have thought right to say this much on this part of the subject, because it may hereafter be suggested that this House is closed against any redress for Irish grievances. If it be so, it is the fault of Irish Members. Where is the measure that has been brought forward in a practicable shape that has been capriciously rejected? When have facts, dispassionately stated and accurately ascertained, been treated with disdain? I must say, in justice to the English Members, that in the limited opportunity I have had of observation, I see no indisposition to entertain the discussion of Irish questions, except so far as the manner in which they are introduced, may have occasioned that indisposition. If men are content to indulge in vulgar clamour and general abuse, or, when they are precise in detail, if they are usually inaccurate in their facts and figures—if thus they nauseate Englishmen, without instructing them on local matters—in common fairness, let themselves bear the blame of the natural result; and let those who send them as their representatives reap the fruit of their selection. I have adverted to the assumption in this Bill of the general injustice of landlords. In the report of the Commissioners, this hackneyed imputation is noticed with proper disapproval. In the north of Ireland, I can state, what may be verified by authentic records, that ejectments are brought, not to deprive the tenant of his improvements, but to enforce payment of the rent. The question as to improvements, however, is not the real question now before the House; nor am I prepared to say that I have conclusively made up my mind that there may not be some useful legislation on this important subject of improvements. At present I can only say no feasible plan, sufficiently simple to be useful, has been suggested to the House; but I would give my best assistance to any reasonable project which would tend to secure to the tenant every fair benefit of his industry, and encourage a judicious expenditure of capital in improving his farm. The landlord ought not to exercise his right in opposition to his duty; nor should the tenant neglect or violate his duty under shelter of his right: but so far as the prosperity of the relation depends on a sense of duty, and a disposition to perform it fairly, an Act of Parliament is important to make a kind and just landlord, or an honest and industrious tenant. It may disturb the moral elements, which it cannot create or control. But, Sir, we must now deal with what is really involved in the principle of this Bill. It is introduced under the cloak and cowl of compensation for improvements, when in reality it is fixity of tenure for the occupier. Two cases may arise under this head: first, where the tenancy continues without interference of the landlord; secondly, where the landlord has, in the exercise of his legal right, determined the tenancy. These must be kept quite distinct in considering this part of the question. As to the first, no legislation is needed: there is a subsisting legal interest in the tenant; in that he has a tenant-right. The value of it depends on the probability of the continuance of the relation; that depends on the character of the landlord, and the condition or conduct of the tenant, and must be affected by local and personal considerations. Therefore it will vary as these incidents vary—it is a legal right with moral incidents. The legal right is uniform, and exists throughout the whole country. The moral incidents, on which the value of the right depends, are as different as places and persons can make them; but no legislation can reduce them to equality, unless by their destruction. The interest thus circumstanced may be disposed of, more or less, according to the general prosperity of the district, its social order and tranquillity; this would occur under the Act which is so unfairly recited and misapplied in this Bill, I mean the Land Clauses Act, which is a general Act, not for the sale of what is called Ulster tenant-right, but for the valuation of the interest of persons whose lands may be required by a railway company. Is this power of purchasing at a valuation the subsisting interest of a continuing tenancy, to be compared to the case where that interest has been legally determined? Under the one, the occupier of a farm, performing all his duties in such a manner as to secure him in undisturbed possession under a just landlord, is deprived against his will of his legal right, which the landlord does not mean to terminate: in the other the landlord may on sufficient reasons exercise his legal right and end the tenancy; and there may remain neither legal interest nor moral claim; and yet the analogy is embodied in this Bill, by which the compulsory sale of a continuing subsisting interest of a tenant who has made no default, is assimilated to the case of him who "for non-payment of rent or other default," has been legally deprived of the interest which has ceased to continue; and so deprived in accordance with the contract under which he became a tenant. Suppose a tenant has crowded the land with cottiers. Suppose he has neglected its proper cultivation or exhausted it; set a pernicious example to other tenants on the estate, or otherwise violated his general duties; is the landlord, exercising his right as such, in fulfilment of a duty to his estate generally, to be compelled to purchase his own property and interest for the price which might be required from a public company, for the compulsory purchase of the continuing interest of a solvent and respectable tenant? By the common law of England, a tenant who wrongfully withholds possession forfeits his claim to emblements. It recognises no right engrafted on a wrong; there must be a legal basis, and then the right may be more or less comprehensive according to general circumstances or positive law. This consideration shows the rank injustice of this Bill. It seeks to abolish the tenure from year to year, so far as the landlord is concerned; but on the other side the tenant may surrender on a six months' notice to his landlord; the landlord may be compelled to accept his land again, exhausted or uncultivated, and yet have no power to resume possession against the will of the tenant. He is to be fast, but the tenant loose. Is that fair play between the parties? Are existing contracts to be disregarded, and Ireland thrown into a state of catalepsy? Is it wise or sound policy to put an artificial value by Act of Parliament on the mere possession of land? You encourage pernicious competition. You induce dependence on uncultivated land, as a substantial property: the improving and prosperous tenant is not usually the seller of his interest: it is more generally the slovenly tenant who is broken down by indolence or misfortune. If the possession be made of value whilst the land is neglected, you may induce purchases of the unimproved possession; the capital of the buyer will be absorbed in the purchase, and perhaps find its way to America: the price cannot be regulated nor the buyer selected, if this right is to be legalised in all its elements, and spread over Ireland by statute. This could not possibly conduce to elevate the character or condition of tenants: such legislation is too unjust not to be deeply injurious. In England the statute law which regulates landlord and tenant is moderate, when compared with that of Ireland. And still more so in Scotland: the contracts of the parties, the common law, with good understanding and good feeling, practically accomplish all that is desirable. The great evil in Ireland has been the excess of legislation. In the reign of George the Third, there were nearly sixty statutes for Ireland, and only five or six for England. These statutes complicate rights and remedies, and merely enable the tenant to postpone at a great expense the settling of his rent account, encouraging irregularity and delay, which are often ruinous to the tenant, and injurious to the landlord. The latter has remedies at law which are baffled; and when ultimately successful, then the tenant commences his career in a court of equity, and the settlement, which might and ought to have been made without litigation, is ultimately compelled, after irreparable mischief has resulted to both parties. This acts injuriously on the moral character of the tenant; and nothing can be more unwise than to divert the attention of the people from the plain and obvious agency of their own improved habits of industry and virtue, by encouraging the idle hope of remedying their grievances by constant legislation. It interrupts the industry and unsettles the peace of the country. For my own part, I should be glad to see a Committee appointed to revise the whole code of landlord and tenant law, in order to simplify and reduce it to a small and rational compass, and instead of increasing to diminish it considerably. Great stress has been laid on the condition of Ulster, and it is said that you may make all Ireland like Ulster by passing this Bill. I admit the superiority of Ulster: it is an important fact, which I do not mean to part with; and I will cordially concur in extending to the rest of Ireland the real influences which have made Ulster so prosperous. It is said tenant-right is the cause of this; and that this right originated in the rules of the plantation. Enough to say, that neither Antrim or Down were included in the plantation. The cause lies deeper: its elements are moral; the relation of landlord and tenant in Ulster, with its valuable incidents, results from the moral superiority which is the fruit of civil and religious freedom; and what is called the tenant-right of Ulster is the test of its peace—the effect, not the cause, of its general prosperity. The evidence of the late Mr. O'Connell illustrates this position. Here is the extract from the Journals of the Lords:—

"Lords, March 11, 1825.

"D. O'Connell—Asked to account for this—

that it was not necessary in Ulster, for twenty-five years, to enforce the Insurrection Act?—There is in the north, and has been, a perpetually organised form of yeomanry, mostly Orangemen, ready, of course, at any moment, to meet any particular act of insubordination or insurrection, and giving, therefore, a more constant opposing force to particular acts of outrage."

If thus you have in one province the yeoman class combined in support of law and order—attached to British institutions—educated in the principles which have made England great and prosperous; but in other parts of Ireland the tenant-class conspiring against the law—stimulated to malignant hatred of everything English simply because it is English—and every reasonable effort at improving their condition frustrated by the energies of unprincipled advisers, who hate and fear the power of true constitutional liberty; in the one place religion appealing to the understandings and affections of the people—in the other, to their passions and their senses — can you hope to equalise by human law differences occasioned by Divine legislation; or shall the former prevail where the latter is repudiated? It cannot be: another remedy must be sought and applied. While I admit the moral inequality, I would to some extent desire to be the apologist of many of my degraded countrymen. Remember their wretched state of social and physical depression; and, above all, reflect on the training they habitually undergo. How can legislation correct this? It cannot make men virtuous; and yet to be happy they must be good, and to be good, religious truth must warm their hearts. You cannot transplant by statute the moral culture of one province to fix it in another; nor can that which is indigenous to a moral soil, flourish in an atmosphere of disaffection and crime; and you might as well hope to transplant the luxuriant exotic to some bleak and barren mountain, and create fertility by exposing it to perish. In your agricultural improvement you begin by subsoiling, draining, and then manuring: noxious weeds have been removed, and cold and chilling influences abstracted; and then by patient waiting productiveness is secured. Such must be the analogous process to produce in other parts of Ireland the prosperity of Ulster: this is the way to extend its tenant-right. Suppose for a moment this Bill had been passed some years ago, what could have been its effect on the class of crimes such as were tried at the special commission? Forty-one prisoners were convicted at Limerick: three for murder, eleven for robbery of arms in dwelling-houses, one for harbouring a felon, one for appearing in arms, six for an attack on a house and attempted abduction, three for burglary, one for highway robbery, six for extorting money by intimidation, and eight for plundering food under the pretext of destitution. The very able, wise, and learned Judge, the Lord Chief Justice, who presided, used these words:—

> "I am afraid that such a state of things as we witness constantly is a decided proof of apathy and indifference on the part of a large class of the Queen's subjects, from whom the support of the laws might be expected. Persons of the description I allude to are too apt to proclaim that the laws and the government of the country have not afforded that assistance which might be afforded; but, gentlemen, they should recollect that, without the assistance of Her Majesty's subjects, without the co-operation which it is their duty to afford, the law must remain a dead letter—that, in fact, no laws or no government can afford relief, unless every man assists in the preservation of the public peace. Gentlemen, as I have adverted to what may be fairly termed the principal object of this illegal confederacy, I may be allowed here to observe that perhaps at no period—certainly at no period, looking to land as the means of affording subsistence to a large portion of the population—does there appear to be on that account less reason for interfering with the rights and remedies of landlords, because you are all aware that the principle, 'that every individual has a right to be supported by the land,' is not only now acknowledged in the abstract, but is embodied in an Act of Parliament in full execution, by which the most stringent measures are afforded for the relief of the poor under all circumstances, and at the cost and expense of that very class of persons against whose rights there is this general opposition."

Here, then, is the secret as to the miseries of Ireland; you discover it by a candid comparison of the condition of her prosperous province and her degraded districts. The swell of agitation is thrown back from Ulster. British connexion is valued, not denounced: its privileges made available, not counteracted—kindly feeling between landlord and tenant prevails — religious liberty is honoured, and truth diffuses its own peculiar blessings. You look away from this prosperous spot: you see suspicion displacing confidence—hatred of England inculcated and cherished as a religious dogma—the bad passions aroused and inflamed—the charities of human hearts curdled and corrupted—those relations dissevered which are the offspring of dependence and protection: here are the immediate causes of the depression which is acknowledged; you must renovate the soil before you can improve the products.

So long as those who influence and stimulate the mind of the people, stoop to an ignominious popularity to trade upon their distress or disaffection, the efforts of the wise and good are baffled and impeded. This is the evil which must be met, and honestly and boldly grappled with. Your legislation is all romance, until this previous question be decided. The constitution of England, that noblest edifice ever reared on earth—which stands amidst the storm which rocks all Europe to its centre—that which gives to England a name and a place on which Heaven shines serenely—it must by its own steady powers infuse its own principles by gentle processes into the habits of the people of Ireland; trusting to the energy and wisdom of its laws, and the power of its own Executive; not suffering any irresponsible body of men to assume the right or the power of dictating terms of government; but with conscious strength and dignity imparting the light and warmth of freedom to shine on all with steady impartiality, and thus quicken into life the attachment and respect of the people. I thank the House for the exceeding kindness and patience with which I have been heard; I feel in this an assurance that this Bill will be rejected by a decisive majority.

MR. JOHN O'CONNELL said, that he could not hope to rival the great ability of the hon. Gentleman who had just sat down—an ability which he readily confessed, though he could not admire its exhibition in the present instance, as savouring of what was too often attributed to too clever advocates—the effort to make the wrong appear the better reason—to wrap up the merits of the case in a cloud of declamation—and to make points at the expense of truth and justice. The hon. Member had deplored party bitterness, but yet had introduced it into the debate, having left the merits of the real question before the House, to indulge in an insulting comparison between the north and other provinces of Ireland. He repudiated the comparison, and the species of lecture the hon. and learned Member had thought fit to read to his southern fellow-countrymen on what he called the superior morality of Ulster—a superior morality which consisted in license given to armed Orangemen to commit outrage and murder? The hon. Gentleman had spoken, too, of an ignominious popularity; but there was an ignominious popularity with persecuting landlords, of which it would be well if the hon. Member had an equal abhorrence. And now as to the real question before them, which had been so little touched on in the speech they had heard, the hon. and learned Member had quoted, as the popular definition of tenant-right, words used at an insignificant meeting at Holycross, by a Mr. O'Connor, a person who had been expelled from a popular association for his wild doctrines on land tenure. [Mr. NAPIER had quoted the hon. Member himself.] He avowed and would repeat the definition quoted from him, and which he took from the Devon Commission and other official documents, namely, that tenant-right was the sale of simple occupancy at the best market price that could be got, the price being a certain number of years' purchase of the rent, and the landlord's arrears being defrayed out of the first proceeds of the sale. What was there of injustice or spoliation in that? and, on the contrary, was there not injustice and spoliation in the existing state of things to the unfortunate tenant? The hon. and learned Member had said, that at the recent commissions the cases tried had nothing to do with land. He, on the contrary, held that, with the exception of the six cases of abduction, all the rest were distinctly traceable to disputes about land. The burglaries and robbings were to get possession of arms to carry out the fell vengeance resolved upon against agents or intruded tenants. The crimes against the person were distinctly caused by land disputes; and even the plundering of food might be so traced, as it was landlord cruelty that had deprived the wretches of the means of otherwise prolonging existence. He joined of course in the praises of the legal ability of the Chief Baron; but he should say that at the time that learned person was reading solemn lectures to the shivering criminals before him, and pronouncing against them the awful sentences merited by their hideous guilt, yet they might have with reason addressed him, and said—"Ay, my Lord, we are indeed guilty, but your Lordship is not without a share in it. You distinctly declared years ago, before Committees of Parliament, that agrarian crime resulted from insecurity of tenure and the bad state of the laws between landlord and tenant. You have been in high and influential office for years since you made those declarations, and you have done nothing—advised no measure, proposed no Bill, taken not one single step, as it was your duty to take—to apply a remedy to the evils you yourself confessed. Therefore you, my Lord, have participated beforehand in our guilt." There was another Chief Justice to whose words attention should be called. The predecessor of Mr. Blackburne, the late Chief Justice Pennefather, declared from the bench five or six years ago that the whole course of legislation since the Union had been in favour of the landlord, and against the tenant. It was time there should be a change in this. The hon. and learned Member might argue as much as he liked—taking up the expression of those who might be considered his clients, the exterminating landlords of Ireland—about over-population, the evils of subdivision, and other such phrases of those who wished to see the people swept off the face of the earth. He might be quite assured that all the expressive laws that could be devised against these so-called evils would fail, as all such laws hitherto had failed. The want of manufactures and commerce had thrown the people altogether on the land as the only means of existence; and till some great measure should stop the drains from Ireland, restore her capital, and thus stimulate and support enterprise in that country, population would for ever be in excess upon the land. Meantime the effort should be at all events made to mitigate the evils of the pressure by giving security of profit to agricultural industry. The Government measure would not do this, by reason of its hopeless intricacy and provision for endless and most vexatious litigation. Any plan about recognising improvements only, raised two formidable and insuperable questions: first, as to what landlords and tenants would consent to consider as improvements; and, secondly, what the value, and apportionment to each of such value, was to be; whereas tenant-right, as in the north, simplified everything by leaving the tenant to find the value of his holding and improvements, if any, in the open market; while, at the same time, the landlord had full power to raise the rent, and was secure of arrears. Such was northern tenant-right; no theory or fancy of a man in his study endeavouring to invent new systems of legislation, but a tried and recognised custom, enduring now for a very long period, and confessed even by the most adverse witnesses to have caused plenty, peace, and prosperity. The evidence before Lord Devon attested that it sold at fifteen, twenty, and twenty-five years and upwards purchase of rent. To fix the price of land was difficult; but he (Mr. O'Connell) had always thought that at least a minimum might be fixed below which the tenant could not be driven. He had thought that eight years' purchase, being one-third of the estimate of a landlord's interest as fixed in the redemption of Crown and quit rents in Ireland might be taken: but as some parties, whose opinion was deserving of all respect, considered that so high a rate would be an obstacle to the incoming tenant, he would say that four years' purchase might be taken as a minimum—leaving, as before, the outgoing tenant to try in open market to get a higher rate if he could. But it was well known that the tenants in the south were made to pay fines to landlord or agent, and sometimes to both; while in the north experience proved that for the sake of security large sums were cheerfully paid, and yet the tenant prospered afterwards. Some measure of the kind was absolutely necessary to check the hideous scenes of extermination going forward on every side. His testimony as to the cruelties exercised on tenants might be disputed; but he referred the House once again, as he had often done before, to a book which had been hitherto treated with a most significant absence of remark by the advocates of landlordism. It was the book of an Englishman, for thirty years land agent in Ireland, a Mr. Wiggins, who had been more than once called upon to give evidence before Committees of that House. He was by no means writing for popularity, as he attacked the Irish people and the agitators unsparingly; but he told the truth about the gross misconduct and crying injustice towards the tenantry of the majority of the landlords in Ireland. Any measure between landlord and tenant which should not recognise this principle, would not satisfy the south and west, while it would disturb the north, as, of course, no Act could be passed for the south and west of Ireland alone; and its inevitable application to the north would enable the landlords there to destroy the existing custom of tenant-right. The House then ought to pause before rejecting a system which had been tried, in order to take up a complicated and impracticable measure, such as that of the Government, which could tend only to increase distraction in Ireland. Such grievances as these, which tenant-right would remove, formed the real strength of agitation. Do away with the grievances, and the agitators, whether Old Ireland or Young Ireland, moral force men or physical force men, would lose all power over the people. That would be the real policy to adopt. At any rate he prayed the House not to exasperate the popular mind still more in the present state of Ireland, by rejecting hastily what they so much set their hearts upon. They should not be deprived of the little remaining hope that was in their hearts, and that yet held them from resolving the fearful question which had arisen, as to whether death by the sword were not preferable to death by famine and destitution. As one who, notwithstanding that he might be sneered at, he would say, had done, and was doing, all that in him lay to restrain the people, and counteract the effect upon them of the wicked counsels so industriously propagated amongst them, he did then pray, that whatever might be the ultimate fate of the Bill, so much regard would be shown to the deep interest taken in this subject in Ireland, that it would be allowed to pass the second reading, and go into Committee there to be amended as might seem best to secure the rights of all.

VISCOUNT CASTLEREAGH thought, that as the other Bill on this subject would probably go to a Committee, the hon. Member for Rochdale was entitled to a fair consideration now. He indulged in very little hope that there would arise from either of these Bills such a measure as would be likely to satisfy the people; and, indeed, in the circumstances in which they were placed by these competing Bills, the question raised by the hon. Member for Rochdale having been taken up by others with intentions very different from his own, and in the midst of the agitation which was now going on with respect to land in Ireland, it became very difficult even for those with the best wishes to do justice to the Irish tenantry to give at this moment an honest and conscientious opinion. The measure of the right hon. Gentleman was something like a connivance at fixity of tenure; and as he should be glad to see this Bill (the Outgoing Tenants Bill) sent to a Committee upstairs, he should now be very unwilling to vote against it, merely because to some portions of it he saw reason to object.

CAPTAIN ARCHDALL denied in the strongest terms the statement of the hon. Member for Limerick city that the Orangemen were licensed to commit any outrage. He was not surprised at the soreness exhibited by the hon. Member towards the Orangemen, for they had always indignantly repudiated every offer made by the Repeal party; and the House might be glad to know that there were 100,000 Orangemen in the north of Ireland ready to stand forth at any moment when called upon in defence of order, and to crush the poisonous offspring of the agitation led by the hon. Member.

MR. O'CONNELL had referred particularly to the outrages perpetrated by the Killyman wreckers; and the hon. and gallant Gentleman could not forget that the life of the late Mr. O'Connell was threatened by these very loyal and peaceful Orangemen.

SIR J. WALSH considered that the picture drawn by the hon. Member for Limerick of the state of society in Ireland, in consequence, as he declared, of the absence of a system of tenant-right, was most exaggerated. He differed altogether from the hon. Member in his calculation that the good landlord was the exception in the sister country; he believed that the fact was precisely the reverse. There was a great popular demand for an alteration of the law, a great cry for tenant-right, involving every shade of tenant-right, amounting at last to the total extinction of the rights of the landlord. Her Majesty's Ministers had brought forward a Bill on the subject, and it was immediately met by the hon. Member for Rochdale by a declaration that it was a concession to the landlords which had spread consternation and alarm throughout the whole of Ulster. That Bill altered all the subsisting relations of tenant-right. Then the hon. Member for Rochdale brought forward an antagonist Bill, which was met by the right hon. Gentleman (Sir W. Somerville) in a very able speech, in which he proved, unanswerably, that the Ulster tenant-right, if extended to the rest of Ireland, must prejudice the rights of landlords and the interests of tenants, and that the hon. Member had misunderstood the effect of his own Bill. The hon. Member for Rochdale met this objection by the proviso he had inserted in his Bill, recognising any established custom in any locality, and in the absence of it referring each case to arbitrators. This measure, therefore, only legalised the Ulster tenant-right, where it was already adopted by custom; but in the remaining three-fourths of Ireland all the rights of tenants and landlords would be, without any rule or principle, surrendered to the mercy of hundreds of arbitrators, and no landlord could rely upon the state of the law. Different arbitrators could act each according to his own judgment and discretion, and nobody would have any security as to the rule to be applied to the question of compensation to the tenant. The Ulster tenant-right had succeeded because it had been a voluntary understanding between the landlord and the tenant; and no argument could be more rash and futile than that, because an arrangement like this had conduced to the prosperity of the country because it was voluntary, therefore it would be successful when it was compulsory, and enforced by legislative enactment in other parts of the country. He would be candid with the House and say, that his objections were not merely to the provisions of the Bill, to the details of the Bill of the hon. Member, as well as that of the Government —though he thought the details of both were extremely defective—but he was yet unable to arrive at the conclusion that a sweeping alteration of the law of landlord and tenant, and of the general relations of landlord and tenant, upon the principle involved in these Bills, could be conducive to the ultimate prosperity of the country. One of two things must be done by such a Bill: either it must interfere with the rights of property, taking from landlords and transferring to tenants; or attempt to interfere by legislative enactment with the bargains between individuals—which, according to every rule of legislation and principle of political economy, were best left to the individuals themselves—having conflicting interests. Admitting, as he did, the social state of Ireland, and that that country was afflicted by many evils, he fully believed that, although backward in comparison with this country, the improvement of the agricultural condition of Ireland had been for many years progressive, and that it was still going on. He believed that the relation between landlord and tenant, as it had existed in Ireland, was, on the whole, not merely a relation which ought to be defended on the abstract principle of the rights of property, but that it had worked in Ireland, and would work, for the benefit of all classes—landlords, tenants, and the community at large. The Bill proposed to tax landlords for improvements and farm-buildings. It was for the interest of landlords that their estates should be improved, and the first step was to improve the farm-buildings in Ireland; but it was by the power and control of the landlords that this object could alone be effected; and it was not only for the interest of the landlords, but essential to the permanent improvement of the country, that that power should remain, and that the landlords should have the sole construction of the buildings. He was sure that this course of action would extend in Ireland; but if landlords were deprived of all future prospective interest in the improvement of their property—if the control over it were thus taken away, though buildings might increase in number, they would deteriorate in quality. The consolidation of farms was one of the great *desiderata* of Ireland; but this should proceed cautiously and slowly. Every law upon this subject that had hitherto been tried had proved either inefficacious, or else showed an evident tendency to increase the subdivision of farms. It was his belief that there was not one of the clauses against subdivision which would be found efficacious in practice; and, in conclusion, he wished it to be understood, that in voting against the second reading of the Bill, he voted against tenant-right altogether.

MR. O'CONNOR, in applying himself to the merits of the Bill, said, there were those who thought tenant-right of paramount importance to a repeal of the Union. He was not of that opinion, but he quite approved of the conduct of those who, entertaining any opinion whatever with respect to the people of Ireland, expressed that opinion openly. The true way to deal with the people of Ireland was to be perfectly frank. With respect, in the first place, to the manner in which the present discussion had been carried on, he must not only express his strong dissent from the sentiments which the House had heard from the hon. Member for Limerick, but he must also take the liberty of saying that the speech of the hon. and learned Member for the University of Dublin contributed little to assist the House in arriving at a sound conclusion. That hon. and learned Gentleman jumbled up the measure of the hon. Member for Rochdale with that of the Chief Secretary to the Lord Lieutenant of Ireland; it was, therefore, scarcely necessary for him to do more than call their attention to that circumstance, as of itself it seemed to him insufficient to neutralise the entire effect of the hon. and learned Gentleman's speech. He should venture to put one or two cases which might be urged in the nature of a reply to the hon. Member, if, in fact, it could be said that any formal reply were needed. He would say, suppose that a tenant had taken land at 10*s*. an acre for twenty years; suppose that within that period he had so greatly improved the land that at the end of his term it was worth 1*l*. 10*s*. an acre; it became quite evident that he had by his improvements augmented the value of the landlord's estate to the extent of 400*l*., and yet the landlord could, if he thought proper, oust him from the soil which he had thus greatly improved. The causes of this state of things were to be found in a very obvious historical truth—that the laws which regulated relations between the owner and the occupier of the soil had all been made by the landlords, and they took a very different view of the subject from that which presented itself to the mind of a tenant. The result of their law-making was this, that if a tenant, by means of his capital and his skill, obtained a profit of 100*l*. a year from a farm that had been originally worth 10*l*., the remaining 90*l*., though it ought to belong to him, could never under the old feudal system become his; according to that, the landlord was entitled, not only to take advantage of every fortuitous event, but of every exertion of industry or application of capital. He hoped the House would not allow themselves to be too much carried away by the speech of the hon. and learned Member for the University of Dublin; it was a speech full of sophisms; but in one respect, at least, the hon. and learned Gentleman could not be accused of any intention to lead the House astray, because it could not but be obvious that the hon. and learned Member had mistaken cause for effect. As he understood the hon. and learned Gentleman, he objected to the Bill because the tenant-at-will was supposed by it to have a vested right. But the Bill of the hon. Member for Rochdale provided for that, and there was no one interest that would be violated by his measure. What was the great grievance in the south of Ireland? It was this, that there was no tenant-right; such a state of the law offered a bounty upon idleness. But the hon. and learned Member for the University of Dublin thought himself entitled to compliment the Irish landlords. Few persons would consider them entitled to any compliment who knew the fact that sixty-one laws for the benefit of landlords were passed in the reign of George III., while only six laws of a similar description were passed for England. Such laws were unnecessary in England; and he was as ready as any man to bear testimony to the excellent spirit in which the English landlords administered the trust which society reposed in them. They required no law beyond the influence of public opinion to coerce them; and hence it was that the objections to the present measure did not so much come from them as it did from the Irish landlords. Then the practice of squatting formed one of the topics of the hon. and learned Member's speech; but for that practice, and to meet the evils to which it gave rise, the measure before the House made, as he conceived, ample provision; but, according to the hon. and learned Member, there should be no legislation at all on the subject—everything should be left to the laws of nature; yet in the same breath he told the House that in Down and Antrim they were governed by the ancient laws and usages of Ireland; that tenants were prosperous, and landlords not tyrannical—a pretty good proof, by the way, that the Irish ought to be allowed to govern themselves; and then from his argument it was not easy to discover whether he thought that the existence of a yeomanry in the north of Ireland produced those good results, or whether he thought that the relations there subsisting between landlord and tenant had the effect of producing a good yeomanry. In this instance, probably the hon. and learned Member, as he had done in other cases, confounded cause and effect. He would not, however, further waste the time of the House by discussing minute points. His hon. Friend the Member for Rochdale would not insist upon having the Bill, the whole Bill, and nothing but the Bill; he, on the contrary, was willing to go into Committee and calmly consider the several provisions of the Bill. In disposing of such a question as the present, they should not forget that the Legislature had frequently interfered with the existing relations between landlord and tenant, especially in Ireland. In the course of the discussions which led to those measures, the enormous abuses of the middleman system were frequently referred to—no abuse could be greater; but the hard treatment which the labourer experienced at the hands of the farmer was also an evil of the highest magnitude—for one tyrant in broadcloth there were 1,000 in frieze. The duty which he owed to his country and to that House demanded of him that he should deprecate any attempt to trifle with the feelings of the people upon this subject. If the House thought any legislation necessary, let them say so—if not, let them say the contrary; but, let not the Irish people be carried away by false expectations—let them not be told that there was justice on their side, and then be informed that the Legislature lacked the machinery for carrying out the sound principles which they recognised. They might talk as they pleased about the difficulties of a Bill of this kind, but they found no difficulty in Bills for imposing taxes. There was not one of the supposed difficulties about this Bill which could not at once be easily overcome; undue or unfair modes of improvement might easily be prevented; and a board might be established to declare how many years' rent might be expended in improvements. He could not help observing, that, by the speech of the hon. Member for Limerick, he had been shocked, disgusted and horrified: that hon. Gentleman talked of the Irish Members being oppressed in that House by the English; but, to him, it appeared that the kind of Members sent to that House from Ireland were equally oppressive. He would conclude with this advice to the Irish landlords. He called on them to beware, and he would tell them that the most to be done was to be done by themselves. It was a weakness for them to be eternally coming to this House to assist them. Ireland was a country that might be made a garden, if the landlords only did their duty. But they were too proud, and disdained agricultural pursuits. ["No, no!"] He knew that in his time they did, and he feared that what Sheridan said of the Irish was too true, that they were a poor and proud people.

Sir G. GREY said, that on the day when this subject was before under discussion, his right hon. Friend the Secretary for Ireland stated so fully and clearly the reasons which induced the Government to oppose the second reading of the Bill, that it was needless for him to occupy the attention of the House long on the present occasion, particularly after the able manner in which the question had been debated by Gentlemen locally connected with Ireland, and after the very able speech of hon. Member for Dublin University, who had brought a great deal of practical and legal knowledge to bear on the subject. In one point he must concur with what had fallen from the hon. Member for Radnorshire, namely, that the more this question was discussed, the more sensible must the House be of the immense difficulties which stood in the way of any effectual legislative remedy for those evils which had arisen out of the existing relations of landlord and tenant in Ireland. It had been made by an hon. Member a matter of reproach to the English Parliament that they had not passed measures to go to the root of these evils, and to remove the cause of a great deal of agrarian crime, proceeding in a great measure out of the circumstances connected with land in Ireland, and out of the existing relations of landlord and tenant. It might be true that agricultural outrages had been extensively connected with the tenure of land, and with the unsatisfactory relations between landlord and tenant; but he believed that the reason why no effectual legislative remedy had been applied to those evils was not on account of the landlord influence in that House. There was no indisposition in the Members of that House to do ample justice between landlord and tenant in Ireland, and to apply an effectual remedy to the existing inconveniences, if they could clearly see their way; but there were almost insuperable difficulties in framing any Act of Parliament calculated to effect that object. He agreed with the hon. Member, who last addressed the House, in his last observation, although inconsistent with some of the other remarks which that hon. Member made to the House, that the real remedy for these evils was to be found, not in Acts of Parliament, but in the parties themselves—not merely in the landlords, but in the landlords and tenants conjoined, and in the mutual agreements which their united interests might lead them to make. In reference to ejectments and the law of distress, the Legislature might regulate the exercise of the rights both of the landlords and of the tenants, and might prevent to a certain extent acts of hardship and oppression; but if it attempted by law to make agreements between landlords and tenants which should apply to every case, whatever the wishes of the parties might be, the attempt would be absolutely impossible, and, if possible, the law would be evaded. The hon. Member (Mr. F. O'Connor) had said a great deal about a tenant taking land at 10*s.* an acre, and improving it so as to make it worth 30*s.* an acre, and had observed that the landlord in such case, without any expenditure of capital, reaped the full benefit of the tenant's exertions and industry. But, under those circumstances, the real security for the tenant was, before taking the land at 10*s.* an acre capable of being improved to 30*s.* an acre, and before expending capital on the land, to stipulate with his landlord for such a length of tenure as would reimburse him. No law could be passed, in justice to all parties, and respecting the rights of all parties, which could give such fixity of tenure as might be voluntarily agreed upon between landlord and tenant. When the landlords of Ireland were spoken of as being the originators of all the evils existing there with reference to the tenure of land, he thought it fair to state that there were exceptions to such a general assertion, and to show that the principle of making an agreement mutually beneficial to landlord and tenant was acted upon by some of the best landlords in that country. Since he had come into that House he had had put into his hand an advertisement relative to certain farms, in the Queen's County, to be let from the 25th of March last by Mr. Price. These were the terms of the advertisement for letting several large farms belonging to Mr. Fitzpatrick and the Marquess of Lansdowne in the Queen's County:—

> "Proposals in writing, or applications personally, will be received and attended to by Mr. John R. Price, Westfield Farm, Mountrath, who will be prepared to satisfy all reasonable tenants on the undefined and vexed questions of 'tenant-right and fixity of tenure,' by the only remedy calculated to remove the difficulty and perpetuate a good understanding between landlord and tenant; that is, by providing the fixed capital required for all permanent improvements, on certain just and equitable conditions, to be previously agreed upon; and by granting a substantial lease for twenty-one or thirty-one years, as the condition of the farm may require or suggest.—March 9, 1848."

If landlords offered such terms, calculated to improve the relation between them and their tenants, such a mode of proceeding would be found much better than anything else, and most productive of a sound feeling amongst the parties. It certainly would be the best plan not to interfere between persons willing to make such voluntary agreements; and when the second reading of the Government Bill should be proposed, it would be found that no such interference was involved in that measure. With respect to the Bill of the hon. Gentleman now under discussion, he thought that there were principles in it which the House could hardly sanction, by assenting to the second reading, with due regard to the rights of property or the interests of landlords and tenants themselves. The hon. Gentleman, on a former occasion, said, he was not an advocate of compensation for the mere right of occupancy; but he found the mere right of occupancy was made a ground of compensation in his Bill. He was of opinion that it was undesirable, by any legislation, to interfere with a custom working satisfactorily in any part of the country. Where landlords and tenants agreed to be bound by that custom, let it be so; but, at the same time, it was unadvisable to enforce by Act of Parliament that custom throughout other parts of Ireland where it was not known, or to enforce the custom by legislation. He found that the hon. Gentleman's Bill gave a compensation for mere occupancy, and for doing that which every tenant was bound to do for the sake of his own interest. Was that a principle which the House would assent to? He thought it was most dangerous to hold out an expectation by a vote of that House, that any tenant, for only doing that which every tenant under a proper system of agriculture would naturally perform, should have a right of compensation. He did not deny that it might be desirable to enable tenants to obtain compensation for improvements, using that word in a much more limited sense than the hon. Gentleman had in his Bill, and meaning thereby improvements quite distinct from those effected by mere industrial occupation, which included good clean husbandry. The hon. Gentleman's Bill, besides establishing occupancy as a ground of compensation, included the erection of buildings, &c.; and he admitted that buildings erected by a tenant constituted a fair claim to compensation. A great deal had been said about the litigation which the system of arbitration would lead to; and he thought that it was an objection to all these attempts to legislate on this subject, that it must be accompanied with a certain amount of litigation; and that was an objection which, he admitted, applied also to the Government measure. Any attempts to legislate in minute detail on such a matter must lead to litigation; and that was the price which the people must pay for any improvement they might expect of the relations between landlord and tenant by means of an Act of Parliament. With reference to the Bill now before the House, he repeated that it would be hazardous to encourage expectations which might arise from the House sanctioning the principle upon which it was founded. With respect to what had fallen from the noble Lord the Member for the county of Down, he should be willing, assuming that the Government Bill would be read a second time and referred to a Committee, that the provisions of the Bill of the hon. Gentleman should be considered by the same Committee, which might be done without the House first sanctioning the principle of it. The hon. Member for Fermanagh had inquired whether the statement of the hon. Member for Limerick was true, that bands of Orangemen were allowed to go about the country with arms in their hands committing murders? He (Sir G. Grey) should have thought it quite unnecessary to say one word in reference to that matter had he not been appealed to. There was not the slightest foundation for making such a statement; and, indeed, he understood the hon. Member for Limerick, in his explanation, to refer to some transactions that took place some twenty or thirty years ago.

Mr. FAGAN said, that it was incumbent on the House to legislate in order to create some alteration for the better in his unfortunate country. He had been glad to hear the noble Lord the Member for the county of Down state that he was prepared to give a qualified sanction to this Bill; and he might observe, that the property belonging to the family of that noble Lord in the county of Down and in Ulster was justly held forth as an example of what might be done in Ireland by good landlords. The hon. Member for Dublin University (Mr. Napier) had commenced his very able and talented speech by calling the attention of the House to the difficulties which encompassed this subject. He admitted that it was a question of considerable difficulty; but his conviction was, that the Bill of the hon. Member for Rochdale met those difficulties more effectually than any measure which had before been submitted to the House, and he was, therefore, prepared to support the Bill.

Major BLACKALL considered that there should be an extensive revision of the whole law bearing on the relations of landlords and tenants in Ireland, with the object of securing the fair rights of the landlords, and of insuring to the tenants ample compensation for any improvements they might effect in their farms. But the question the House was now called upon to determine was one of a totally different nature, namely, whether they would recognise such a right of occupation as had not hitherto been granted, either to tenants in Ireland, or, he believed, to tenants in any other country. The hon. Member for Limerick had referred to Ulster as a district where tenant-right was established, and where the landlord's rent was perfectly secure. Now, he might state, that he was connected with property in the north of Ireland, on which tenant-right had been recognised for many years, and that he had had to bring many more ejectments upon that property than upon property in another county where no tenant-right existed. The hon. Member for Limerick had referred to the fines paid for land in the south of Ireland; and those fines involved, in fact, the recognition of the custom of tenant-right which prevailed in the north of Ireland; for he would challenge the hon. Gentleman to produce any instance where a fine had been paid on the understanding that land was to be held for a certain number of years, and where the tenants had been called upon to give up possession before the expiration of the time agreed upon. He might also state, that, although persons in the north of Ireland were desirous that the custom of tenant-right should continue, they were opposed to the establishment of that right by a legislative enactment. He thought it of the greatest importance at the present moment that this question, which had been so long agitated, should be definitively settled; but he felt it his duty to oppose the second reading of the Bill now under discussion, and he hoped the House would show by its vote that it was not prepared to sanction the establishment in Ireland of a right which did not exist in this or in any other country.

Mr. P. SCROPE thought it was most important, with a view to maintaining the tranquillity of the empire, that this question should be brought to a speedy settlement. The subject was one which was regarded with intense anxiety by the occupying tenantry of Ireland; and he believed that unless some arrangement was speedily made, the great mass of the population of Ireland would take the matter into their own hands, and would settle it in a far more summary and disagreeable manner than was proposed by any Bill which had been introduced into that House. The hon. Member for Dublin University had made a very able and eloquent speech on this subject; but the hon. Gentleman did not propose any change in the existing state of things: he was for leaving the settlement of any differences to the good feeling mutually existing between landlord and tenant. He would ask the House to consider what was the present condition of the agricultural districts of Ireland, and whether there was not a strong and urgent necessity for some amendment in the law affecting the relations of landlord and tenant. A petition had recently been presented to the House from a large meeting in the county of Wexford, which, in his opinion, presented a fair picture of the condition of the agricultural districts of Ireland. The petitioners stated that rents were immoderately high, amounting to rackrents; that there was no security of possession to the tenant, and little or no encouragement to improvement, but much positive discouragement; that the laws were all favourable to the landlords, and were oppressive and vexatious in their effect; that the consequence was deficient employment, imperfect cultivation, widespread distress, ejectments, extermination, the levelling of farm-houses and of whole villages; destitution, deaths in countless numbers from hunger and cold; illegal combinations, outrages, and assassinations. This petition, he believed, expressed the feelings of a large number of persons in Ireland; and he called upon the House to effect some amendment in a law which had reduced that country to such a frightful state. They ought not to allow the continuance of a law which enabled the landlords to oppress their tenantry in the manner represented by these petitioners. Many landlords now were not even obliged to take proceedings in order to evict, as they once were; they had but to seize, and the tenant must apply for relief to the guardians, and give up the land. If Parliament desired the tranquillity of Ireland, this question should be permanently settled in the course of this Session.

Colonel RAWDON would vote for the second reading of this Bill, because he thought that that was due to the people of Ireland under the circumstances.

Mr. SCULLY also supported the second reading. No good will would ever exist in Ireland until this question was settled by legislation.

Mr. S. CRAWFORD replied: In the former debate a right hon. Gentleman (Sir W. Somerville) referred to some apparent contradictions in his (Mr. Crawford's) statements with regard to the question whether it was occupancy or improvement that was the foundation of tenant-right. He had always stated that the tenant-right of Ulster was composed of two parts—the right of possession, and improvements; he did not deny that occupancy formed a part of the claim, but the improvements made by the tenant added to the value of that right. He did not deny either that he thought that tenant-right had been abused by its being claimed for occupancy without improvement. If all landlords in Ireland were kind and benevolent, there might be no occasion for this Bill; but if the House would look to the evidence before them, they would find that the great mass of the landlord interest, including the middle landlords, the landlords over the occupants of the soil, were not of that description, at least in the west and south of Ireland. The general prevailing practice of landlords in three-fourths of Ireland had been to oppress the tenants, and refuse them all compensation for improvements.

The House divided on the question that the Bill be read a second time:—Ayes 22; Noes 145: Majority 123.

List of the Ayes.

Alcock, T.
Dawson, hon. T. V.
Devereux, J. T.
Fagan, W.
Fox, R. M.
Fox, W. J.
Greene, J.
Hindley, C.
Kershaw, J.
Meagher, T.
O'Connell, J.
O'Connor, F.
Perfect, R.
Rawdon, Col.
Reynolds, J.
Sadleir, J.
Scholefield, W.
Scrope, G. P.
Scully, F.
Sullivan, M.
Tenison, E. K.
Wawn, J. T.

TELLERS.
Crawford, W. S.
Power, Dr.

List of the Noes.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Adare, Visct.
Adderley, C. B.
Alexander, N.
Archdall, Capt.
Arkwright, G.
Baldock, E. H.
Bateson, T.
Benbow, J.
Bennet, P.
Beresford, W.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernard, Visct.
Blackall, S. W.
Boldero, H. G.
Bolling, W.
Bourke, R. S.
Bowring, Dr.
Brackley, Visct.
Brotherton, J.
Buller, C.
Bunbury, W. M.
Bunbury, E. H.
Campbell, hon. W. F.
Carew, W. H. P.
Carter, J. B.
Chaplin, W. J.
Charteris, hon. F.
Christy, S.
Clay, J.
Clive, H. B.
Cocks, T. S.
Corry, rt. hon. H. L.
Craig, W. G.
Deedes, W.
D'Eyncourt, rt. hn. C.T.
Douglas, Sir C. E.
Drummond, H.
Drummond, H. H.

Duncombe, hon. O.
Duncuft, J.
Dunne, F. P.
Egerton, W. T.
Ellice, E.
Elliot, hon. J. E.
Ferguson, Sir R. A.
FitzPatrick, rt.hn.J.W.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Glyn, G. C.
Gore, W. R. O.
Goulburn, rt. hon. H.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grogan, E.
Guest, Sir J.
Gwyn, H.
Hall, Sir B.
Hamilton, G. A.
Hamilton, Lord C.
Hastie, A.
Hastie, A.
Hayter, W. G.
Heathcote, Sir W.
Heywood, J.
Hildyard, T. B. T.
Hope, Sir J.
Hume, J.
Ingestre, Visct.
Jackson, W.
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Lennard, T. B.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Littleton, hon. E. R.
Lockhart, W.
Lushington, C.
M'Naghten, Sir E.
Marshall, W.
Matheson, Col.
Maxwell, hon. J. P.

Melgund, Visct.
Meux, Sir H.
Miles, W.
Mitchell, T. A.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Newdegate, C. N.
Nugent, Sir P.
O'Brien, Sir L.
Parker, J.
Patten, J. W.
Pattison, J.
Pilkington, J.
Rendlesham, Lord
Rich, H.
Richards, R.
Russell, Lord J.
Rutherfurd, A.
St. George, C.
Salwey, Col.
Seymer, H. K.
Seymour, Lord
Shafto, R. D.
Sidney, Ald.
Smyth, J. G.
Somerville, rt. hn.SirW.
Sotheron, T. H. S.
Spearman, H. J.
Stanley, hon. E. J.
Stansfield, W. R. C.
Strickland, Sir G.
Stuart, Lord D.
Stuart, H.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, J.
Trelawny, J. S.
Trollope, Sir J.
Tyrell, Sir J. T.
Verner, Sir W.
Verney, Sir H.
Walsh, Sir J. B.
Williamson, Sir H.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.
Young, Sir J.

TELLERS.

Tufnell, H.
Hill, Lord M.

The House adjourned at half-past Five o'clock.

HOUSE OF LORDS,

Thursday, April 6, 1848.

MINUTES.] *Took the Oaths.*—The Lord Poltimore.—The Lord Loftus.

PUBLIC BILLS.—2ª Property Tax.

Reported—Stamp Duties Assimilation.

PETITIONS PRESENTED. From Members of several Lodges of the Independent Order of Odd Fellows, Manchester Unity, for the Extension of the Provisions of the Benefit Societies Act to that Order.—From Glasgow, for Inquiry into the Necessity of an Alteration in the Navigation Laws.—From the York Diocesan Board of Education, aagainst any Addition to Parliamentary Grants to National Schools.—From Pont Blydden, and several other Places, for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From the Honiton Union, for a Repeal of the Law of Settlement.—From Stockton-upon-Tees, and several Charitable Institutions, for Exemption of Charitable Bequests from Legacy Duty.—From the Rev. John Clark, A.M., and several other Persons, against the Watson's Hospital Estate Bill.

HER MAJESTY'S ANSWER TO THE ADDRESS.

The LORD STEWARD (Earl Fortescue) brought up Her Majesty's Answer to the Address of Congratulation presented to Her Majesty by their Lordships on the occasion of the birth of a Princess:—

"I have received your affectionate and loyal Address with the truest satisfaction. I sincerely thank you for your Congratulations on the birth of a Princess, and for the regard which you express on the occasion for my Person and Family."

CHURCH PLURALITIES IN IRELAND.

The EARL of ST. GERMANS begged to ask a question of the noble Marquess opposite respecting a union of parishes in the diocese of Ossory in Ireland. The union of Burnchurch consisted of no less than eleven parishes, extending over a district of thirty miles in length, united under one rector. The matter had been brought under the notice of Parliament, and a Bill was passed (the 8th and 9th Vic. c. 95), in 1845, for the purpose of facilitating the subdivision of that and other unions; but he believed the intentions of the Legislature had never been carried into effect. He understood that some difficulty had arisen in consequence of a dispute regarding the patronage. But he wished to know whether Her Majesty's Government had determined to carry the provisions of the Bill into effect; for there was nothing so detrimental to the interest of the Established Church, as the existence of those unions.

The MARQUESS of LANSDOWNE entirely concurred in the concluding observation of the noble Earl, and he thought it highly necessary to effect the severance of such extraordinarily large unions of parishes. He had spoken with the right hon. Gentleman the Secretary for Ireland upon the subject, and that right hon. Gentleman had informed him that the difficulty of effecting the severance, in the case alluded to, arose out of a dispute between the bishop and the dean as to the right of presentation.

TRE PROPERTY-TAX BILL.

The MARQUESS of LANSDOWNE rose, in pursuance of notice, to move the Second

Reading of the Bill to continue for three years the duties on property, professions, trades and offices. In making this proposition to their Lordships, he certainly did not labour under the difficulty of having any new proposition to make, or of explaining a matter with which they were not already well acquainted, both as to its principles and its details: but still this subject, familiar as it was to their Lordships, was one so important that he could not ask their consent to the second reading of the Bill without laying before them the grounds on which Government had felt it to be indispensable that the measure should be renewed, and the motives that had induced them on the present occasion to take that course. In doing so he would very briefly state what was the financial condition of the country, what were the expenses for payment of which they had to provide, and what was the present state as well as the future prospects of the revenue; from a consideration of all which the House of Commons had determined on the present measure, and which their Lordships were now asked to sanction. He would, however, in the first instance, call their attention to the fact, that by far the largest proportion of the expenditure of the country arose from obligations which they were bound to meet, if they desired to maintain the public faith; and that it was on a comparatively small amount of the public expenditure that they could attempt to effect any reduction, or to exercise economy. The first head was the interest of the Funded Debt, for which they were bound to provide 27,778,000*l*. To that was to be added, for interest of Unfunded Debt, 752,600*l*. That was after allowing for the deduction, which he was happy to say his right hon. Friend the Chancellor of the Exchequer had already provided for; making, under those two heads, a total of 28,530,600*l*. To that sum was to be added the charges on the Consolidated Fund, which comprised the fixed salaries of the public service, 2,750,000*l*., raising the total to 31,280,600*l*. There remained different heads which were provided for from time to time by the concurrence of both Houses of Parliament. One amongst them was the vote for the Navy and Army. The expense of the Navy was 7,726,610*l*.; for the Army, 7,162,926*l*.; to which was to be added, for the Ordnance Department, 2,924,835*l*. He did not feel called upon to use any argument with their Lordships to induce them to give their concurrence to those estimates. They exceeded in only two particulars the estimates of last year; and he was not prepared, until he should hear it from some noble Lord, to believe that he would be met with any expression in that House to the effect that there ought to be a reduction in our military strength. For although there might be no immediate apprehension of war—although there might be no quarter from which hostility was reasonably to be apprehended—yet the present was not the moment at which to make any considerable reduction in the naval and military expenditure of the country. It was not a time, in the present circumstances of the world, at which we should leave ourselves less provided than before in means of military defence; or in the means of maintaining that security which was so necessary for our trading and commercial prosperity. He was sure that the amount of the estimates essential for the maintenance of the honour of the country would receive the sanction of that as well as the other House of Parliament. In addition to the Army, Navy, and Ordnance Estimates, there were the Miscellaneous Estimates, amounting to about 4,000,000*l*., making together 53,100,000*l*. to be provided for. Now as to the revenue, the amount of Customs Duties was estimated at 19,750,000*l*., and the Excise at 13,000,000*l*. These made together 32,750,000*l*. The Stamps were estimated to produce 7,200,000*l*.; the Assessed Taxes 4,340,000*l*.; the Post Office 900,000*l*.; and from the Crown Lands, and the various resources classed under the head "Miscellaneous," 360,000*l*. The revenue expected to be derived from the Post Office was an amount of produce which must be most satisfactory, and to which it was well worthy of calling the attention of the public, as it entirely justified the change in the system of the Post Office, which had afforded so much accommodation to the public. No one was more adverse than himself to direct, in contradistinction to indirect, taxation. On the contrary, so long as indirect taxation could be carried out without producing injurious reaction, he had always thought it desirable that it should be adopted as the great foundation of the revenue. There was, however, a limit beyond which they could not carry indirect taxation, without encouraging frauds or smuggling. He was, however, favourable to indirect taxation as a foundation of the revenue. There was no small advantage in that the public were more easily satisfied with indirect taxation, as they considered they were to a considerable degree at liberty to limit or extend the consumption of taxed articles. These taxes, however, could be carried no further, without running the risk of affecting the public revenue, as it was shown when the extent of the tax was carried too far a revulsion took place, and they got a smaller amount. Under these circumstances it was proposed by Her Majesty's Government to reimpose the property and income-tax, which was estimated at 5,200,000*l.* This, with the sums he had already stated, would make up the amount of revenue to 51,250,000*l.* Having stated this, he was prepared for the question which would be naturally asked him—Would this amount be equal to the proposed expenditure? His reply was, it would not: and therefore it was that it had been the opinion of Her Majesty's Government that it was most desirable to provide for the excess of the expenditure by a small addition to the income-tax. Circumstances, however, had prevented them carrying out their intentions. A strong opinion had been expressed in the other House of Parliament against any increase of the property-tax; and other circumstances had occurred which had also induced them not to persist in their proposal. It appeared that there was a charge of 240,000*l.* for excess of naval expenditure for last year, which would not again occur. Further than this, in consequence, it had fortunately happened, from the great skill and ability displayed by both the late Governor of the Cape of Good Hope, and by the gallant and eminent officer who had succeeded him—he meant Sir Henry Pottenger, and Sir Harry Smith—a source of great expense and a matter of great difficulty had been put an end to—he alluded to the Kafir war. From what had there taken place, they had reason to hope that no further danger would occur in that quarter. The amount of saving from the termination of the Kafir war would be 1,100,000*l.* This, then, with the saving of 245,000*l.* from excess of naval expenditure, being deducted from the gross deficiency, there would be an actual deficiency of 1,800,000*l.* There was a strong expression of feeling, both in and out of Parliament, that it was consistent with safety, if not with expediency, that they might provide for such a deficiency by the balances in the Exchequer. These balances sometimes amounted to 6,000,000*l.*, and at other times to 5,000,000*l.* or 5,500,000*l.* From this source means might be obtained of meeting a temporary difficulty; but these advances must be repaid, when the debt became due, by deficiency bills, and what was called the Ways and Means. It no doubt was most desirable to have the public finances in such a condition as to be independent of the Bank, and this had been the case for some years past; but under the circumstances of the present moment it was deemed expedient to take this 1,800,000*l.*, or such portion as might be required, from this source. At the same time he did not abandon the hope—and but for what had recently occurred on the continent of Europe he should have felt most assured—that the revenue would soon be in such a buoyant state as to equal the expenditure, and that there would be a great increase in the expected receipts from the Customs and Excise. By these means it was hoped that the necessary expenses of the country might be provided for in such a way as to ensure for the defence of the country; for though they had no reason to expect aggression against this country, yet in the events which were occurring in other parts of the world, something might unfortunately arise affecting this country. Out of the resources of the country they must obtain a sufficient amount of taxation for the necessary expenditure. Their first and most sacred duty, before all others, was to provide means to pay the public creditor, and it was also a bounden duty, and, above all, at the present moment it was a bounden duty, that the safety of the country should be provided for, by keeping up an adequate naval and military force, so as to enable this country to maintain her station in the world and to vindicate her honour. On these grounds he proposed the second reading of this Bill; and he felt assured that, under the circumstances, it would receive the support of the House.

Lord STANLEY said, that he hardly felt it necessary to enter into details after the statement of the noble Marquess, or to follow him into the amount of proposed expenditure, or as to the means of providing resources to meet that expenditure, for, in common with other Members of the House, he entirely concurred in the concluding observations of the noble Marquess, that it was necessary to make provision for the public creditor to the fullest extent, and to maintain the country in such a position of national defence, that while we repudiated all idea of aggression on the rights of others, we should be enabled to maintain our station, and prevent any attack on our honour. With these paramount objects in view, he was sure that no noble Lord was prepared to refuse — however unpalatable it might be—his assent to the reimposition of this tax for the period proposed. With regard to the latter part of the noble Marquess's speech, it showed that Her Majesty's Government were fully justified, nay, were bound to yield to the universal feeling of the country, as represented in the other House, as well as out of doors, against any augmentation of direct taxation for the purpose of meeting a temporary purpose. He believed that the determination on the part of the House of Commons and the country was founded on the apprehension of the danger of giving to the Government a too great facility in increasing a tax already existing, although the proposed increase might be of a small and temporary nature, and by this facility giving a temptation to undue expenditure. He was glad to hear from the noble Marquess that the jealousy of the House of Commons and the country had not been unnecessarily exercised. He concurred with the noble Marquess as to the inconvenience of drawing on the balance in the Exchequer; but still it was satisfactory to be enabled to believe, from the statement of the noble Marquess, that within a very slight limit the revenue arising from existing resources was likely to be sufficient. There was one topic to which the noble Marquess referred—and he confessed he heard him with some regret—namely, as to the cessation of the expenditure for the Kaffir war. It appeared to him that the amount was overrated. The noble Marquess said that there would be a saving effected of 1,100,000*l.*; but this, as he (Lord Stanley) understood the matter, was the expenditure which had spread over two years; it, therefore, could not be taken as a charge for one year. While giving every credit to the exertions of the present and last Governor of the Cape Colony, he hoped the noble Marquess did not mean to say that under the predecessor of Sir Henry Pottinger the war was not carried on with success. He confessed he had heard of the recall of the gallant officer with great pain. He hoped there was no intention on the part of the Government to reflect on the character or conduct of Sir Peregrine Maitland either as regarded the finances or the war in that colony. He (Lord Stanley) had been instrumental in appointing that gallant officer to the office of Governor General of the Cape; and since the return of that officer he had seen all the correspondence between him and the Government, and it did not appear to him that Sir Peregrine Maitland was not fully adequate to the military governorship of that colony, or that his financial arrangements were not sufficiently good. The noble Marquess did not advert to another part of expenditure, which was not likely to occur again at present, namely, the advance of 1,200,000*l.* for Ireland. After making these observations with respect to the part of the speech which went to vindicate the House of Commons for refusing —and he must be excused for saying refractorily refusing—to give Government any increase of the property-tax, the noble Marquess proceeded to state that he hoped the revenue of next year would be fully equal to the expenditure; but it must be recollected that, in the present state of affairs, the amount over which the House of Commons could exercise any control bore a very small proportion to the gross revenue of the country. The only part with which it could deal was the Miscellaneous Estimates. He excepted the Navy and Army Estimates; for he was sure the House would agree with the noble Marquess that this was not the time to cut them down; and while he stated the hopes of the Government that peace would be maintained, he showed the determination the Government had formed not to be drawn into a war by anything but the extreme necessity of defending the national possessions or maintaining the national honour. Setting aside, then, the Army, Navy, and Ordnance expenditure, the only item out of which any saving could be effected, by the most vigilant supervision and control, was a sum of about 4,000,000*l.* included under the head of Miscellaneous Estimates. Although he did not mean to say that some reductions might not be made under this head, yet they could hardly expect to save any very large amount. He did not believe that it would be possible to make such reductions, or that there would be such an increase in the other departments of revenue that they could dispense with the reimposition, for a limited period, of a tax which brought 5,000,000*l.* into the Exchequer. He hoped, however, that the House of Commons would not only watch with vigilant attention the conduct of the Government with respect to the expenditure, but also the course they might take with respect to other taxes. He trusted that if the revenue should so far improve as to show a surplus, the House of Commons would exercise their vigilance so as to prevent Her Majesty's Government from hastily and inconsiderately reducing other taxes; for if this caution was exercised, they would find, at the end of the period for which the property-tax was proposed to be continued, that Parliament might be justified in getting rid of this most objectionable tax. If the House of Commons was not determined to keep up the revenue beyond the expenditure, and consented, on the first appearance of a surplus, to take off other taxes, it would be idle and useless to say this was a temporary tax; for the country would find, in the absence of a surplus, that it would be permanently saddled with that which he felt to be a most dangerous thing to the public interests, namely, a permanent amount of direct taxation. It was not because he saw nothing objectionable in the principle of this measure that he assented to it, but because he thought that under no other circumstances could the country be placed in a position of national security, and because there were no other means by which the national credit could be maintained. He gave, therefore, his unhesitating support to the proposal of Her Majesty's Government for the renewal of this tax; but, at the same time, he felt it his duty to enter his protest against any permanent system of direct taxation, which ought to be reserved for occasions of extreme necessity. He felt very confident that the time was not far distant when we should find that we had advanced too far and too rapidly in the course of a reduction of those taxes which, while they largely contributed to the revenue of the country, were not materially felt by those who paid them, because they were spread over a large mass of the population. His belief was, that without oppressing commerce, or injuriously affecting the country, a sufficient amount of revenue might be raised by retracing some of those steps which he thought had been injudiciously taken, so that, by resorting again to indirect taxation, we might, at the expiration of three years, be enabled to dispense with this tax, which, though he admitted it to be necessary at the present moment, he considered as objectionable in principle as it was obnoxious to the public.

Earl GREY observed, that his noble Friend the President of the Council had made no imputation upon any Governor of the colony of the Cape of Good Hope. His noble Friend had only stated that a very large expenditure had been occasioned by the Caffre war; but he did not express, one way or the other, any opinion on the conduct of Sir P. Maitland. After what had fallen from his noble Friend opposite, he felt bound, however, to say that it was his painful duty to advise Her Majesty to relieve Sir P. Maitland of the command of the colony, because, with the highest respect for the character of Sir P. Maitland, both as a soldier and a civil servant of the Crown, he could not conceal from himself, information having reached him to that effect from various quarters, that Sir P. Maitland was not fully equal to the extraordinary difficulties which occurred in the earlier part of the Caffre war. He was not speaking of the military operations which Sir P. Maitland directed; but it seemed to him that, with regard to the expenditure connected with those military operations, Sir P. Maitland did not exercise that control which he ought to have exercised. He was aware of the extreme difficulties in which Sir P. Maitland was placed, and particularly of the great difficulty there was, owing to the nature of the country, in moving troops and stores; but, at the same time, as he was pressed on the subject, he was bound to say that he did not think that full control had been exercised in those matters. His original view of the case was confirmed by information which had been since received; and he could have no doubt that, contrary as he believed to Sir P. Maitland's wishes and orders, there had been abuses committed at the Cape which required to be met with a vigorous hand and determined measures.

Lord LYTTELTON felt bound to say, that during the time he was connected with the Colonial Department, though many transactions happened in the colony of the Cape of Good Hope, yet, neither with regard to those transactions, nor with regard to the war which broke out in that colony, had there been the least reason to entertain any but the most favourable opinion of the conduct of Sir P. Maitland.

Bill read 2^a.—House adjourned.

HOUSE OF COMMONS,

Thursday, April 6, 1848.

Minutes.] Public Bills.—3° and passed; Leases of Mines (Ireland).

Petitions Presented. By Mr. Fox Maule, from Electors of Peebles-shire, for Removal of Fictitious Votes from the Register (Scotland); and from Perth, for Alteration of the Law respecting the Church of England Clergy.—By Sir J. Birch, from Liverpool, and by Mr. Charles Buller, from Liskeard, for Abolishing the Distinction between Ecclesiastical and Civil Courts.—By Mr. Napier, from Chilham (Kent), against the Jewish Disabilities Bill.—By Mr. Viscount Bernard, from Cork, and by Mr. Broadley, from Rudby, in the Diocese of York, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Hume, from Merchants of the City of London, for Inquiry respecting the Rajah of Sattara.—By Mr. Forster, from Berwick-upon-Tweed, for Inquiry into the Excise Laws.—By Mr. Walker Heneage, from several Lodges of the Independent Order of Odd Fellows, for Extension of the Benefit Societies Act to that Order.—By Mr. Traill, from Distillers of Caithness, respecting the Bonding of British Spirits.—By Mr. Buck, from Fremington (Devon), and by Mr. Fox Maule, from the Synod of Perth, against the Diplomatic Relations with the Court of Rome Bill.—By Viscount Bernard, from Fanlobbus (Cork), and other Places, and by Mr. Napier, from Clonfert, in the Diocese of Cloyne, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Hugh Adair, from Ipswich, and by other Hon. Members, from several Places, for a Free Pardon, for Frost, Williams, and Jones.—By Viscount Newry and Morne, from the Diocese of Leighlin, respecting Clerical Incomes as relating to the Poor Law (Ireland).—By Sir Joshua Walmsley, from Leicester, for Alteration of the Law of Settlement and Parochial Assessments.

PROPOSED CHARTIST MEETING.

Sir J. WALSH: Seeing the right hon. Gentleman the Secretary for the Home Department in his place, I beg leave to ask the right hon. Gentleman, in the first place, whether Her Majesty's Government have received information of the intention of a body of persons called Chartists to meet on Kennington Common in very large numbers on Monday next, for the ostensible purpose of proceeding through the metropolis in procession, and of presenting this House with a petition in favour of what are called the six points of the Charter? In the second place, I beg leave to ask the right hon. Gentleman whether, the attention of the Government having been called to these circumstances, they are prepared to take those measures which may be necessary to secure the independence of this House from being overawed by any meeting calculated to intimidate it; and likewise, I will add, to protect the peaceable and loyal inhabitants of this metropolis?

Sir G. GREY: Sir, in answer to the question of the hon. Baronet I beg to say, that now I hold in my hand a notice, published yesterday, signed by three individuals, one of whom styles himself "secretary"—as I presume, of the Chartist Association—in which notice it is stated, that a convention of forty-nine delegates, elected at public meetings held in different towns in the empire, will assemble on given days, their purpose being to superintend the presentation to this House of a petition, and to devise such other measures as they shall deem to be necessary to secure the enactment of the People's Charter. The notice proceeds to state that a great metropolitan demonstration would accompany the petition in procession to the door of the House of Commons; and the men of London who wish to take part in the demonstration are invited to assemble on Kennington Common on Monday, the 10th instant. A route is then prescribed, by which, arranged and superintended by marshals, they should proceed to the House of Commons. Sir, the attention of Her Majesty's Government having been called to this notice, and other information having reached them with respect to the intended proceedings on Monday next, they directed a notice to be issued, which, I trust, will be published in half an hour throughout the streets of London, and circulated over the country, pointing out that by the statute and common law of these realms this intended procession is illegal, and warning all loyal and peaceable subjects of Her Majesty to abstain from taking part in such procession, and calling upon them to give their best assistance to the constituted authorities in maintaining order, preventing disturbance, and preserving peace.

Mr. O'CONNOR was aware he was not strictly in order in addressing the House, but trusted for their indulgence while he remarked that the right hon. Baronet by the course he proposed would certainly be taking the people by surprise; for, he must remind the right hon. Gentleman, in 1831, when many of his Colleagues were in office, 150,000 men, having given notice of their intention at the Home Office, marched down and deposited their petition for reform; that in 1837 a procession of 100,000 men marched with the petition in favour of the Dorchester labourers; and that, very lately, a procession consisting of a very large number of sailors had accompanied a petition. Why, the persons against whom the notice of the Government was directed, had passed a resolution that every single man should himself be a special constable, and they had pledged themselves not only to preserve the peace themselves, but to take every individual into custody who violated the rights of property. It was not the intention of the people to come to the door of the House. They proposed to cross Westminster-bridge. There was no ulterior object in view; and if he thought that a single breach of the peace would be committed, he would not sanction the proceedings. The liberty that was sought for had been always granted once in every Session on the occasion of presenting the people's petition; and, moreover, he believed it was a constitutional right, and he had precedents for it both before and after the era of the Reform Bill. He hoped that the right hon. Baronet would reconsider his determination, and that the people would be allowed to come down with their petition, containing from 5,000,000 to 6,000,000 signatures—to come down and present that petition, but not with any intention of overawing that House. He should hold himself unworthy of filling a seat in that House, if he could lend himself to any demonstration calculated to overawe the House.

Sir G. GREY: With reference to what the hon. Gentleman has said about taking the people by surprise, I can only say that at the earliest moment at which the Government could enter into deliberation upon the subject after seeing the announcement of the meeting for Monday next, they gave directions for the notice to be issued to which I have referred, and which will be printed and in the possession of the hon. Member, I hope, this evening. That notice will contain the opinion of the law advisers of the Crown, without reference to precedent. I assure the hon. Gentleman I give him full credit for being the last man to encourage any persons to join in violating the law of the land.

Mr. HUME submitted that it might be dangerous to interfere with the procession. He was not of opinion that the meeting together of a numerous body of persons—however numerous it might be—a million, for example—was illegal, so long as the people were peaceable and quiet. He was sorry the Government had taken up the matter so seriously, and advised them to rescind their determination.

MORTALITY IN IRELAND.

Mr. SADLEIR, pursuant to notice, asked the right hon. Gentleman the Secretary for Ireland, "whether he can state the probable number of persons who have died in Ireland, during the last twelve months, from starvation or from disease superinduced by an insufficient supply of the bare necessaries of life, and, if not, whether he can state the probable number of those persons who have died during that period in the counties of Galway, Mayo, Cork, and Clare, and the steps taken by the Government, through the aid of the coroners, police, poor-law guardians, and clergy of Ireland, or by other means, to ascertain the probable number of persons who may so die in Ireland during the present year?"

Sir W. SOMERVILLE replied, that the subject had more than once before been mooted, and on every occasion the answer had been that there were no means in Ireland of giving the precise information.

WASTE LANDS (IRELAND).

Mr. FRENCH, in bringing forward the Motion of which he had given notice, was anxious as a matter of justice and courtesy, to leave the question as much as possible in the hands of the Member for Stroud. That hon. Gentleman had taken it up long since. Three years ago he had introduced a Bill for the reclamation of the waste lands in Ireland. Last Session he had a notice on the books of his intention to bring the same subject before the House. He had, in the present year, more than once made a similar attempt; and he had published a pamphlet for the purpose of calling attention to the public importance of a measure of the kind. He (Mr. French) should endeavour to confine himself to authorities untouched by the hon. Member; and leaving to him the evidence taken before the Devon Commission, content himself with calling the attention of Members to the reports of the Bog Commissioners, gentlemen selected by the Government of the day for their ability and practical experience; and to the recommendation of different Committees of the House of Commons, to show that what he sought for would be most desirable and remunerative. It would not be necessary for him to detain the House by any statement of the necessity at the present time of devising measures to improve the agriculture of Ireland, and to stimulate the industry of her people. The lamentable experience of the last two years had unfortunately made English Members as well acquainted with the wretched condition of that country as those who were constantly resident there—nor was he disposed to underrate the difficulties Her Majesty's Government had to contend with; but let the path be rough or smooth, they must tread on it; the attempt must be made; Ireland neither could nor should be suffered to remain in her present condition. It must be borne in mind, that were the present very deficient state of agriculture in Ireland raised to the level of England or of the Lothians, there would still remain 500,000 agricultural labourers destitute of employment, or the means of subsistence. England had 34,250,000 acres of cultivated land, and but 1,055,000 labourers; whilst Ireland had 1,131,000, with but 14,600,000 acres of cultivated land. The only projects which had yet been brought forward to provide for this surplus population, were emigration and home colonisation. The former was more expensive, less remunerative, and was not at present to be thought of. The disease and the distress of those who left Ireland last year, had brought about so great a change of feeling, that the colonies objected to receive emigrants, and the Irish were less disposed to emigrate; the latter had, therefore, remained solely for consideration; and it was worthy of remark, that the reclamation of the waste lands was the first measure after the Union devised by Parliament for the improvement of Ireland. Upwards of forty years ago a commission was issued to inquire and report on the practicability of reclaiming those wastes. This inquiry cost 40,000*l.*, and produced a series of as able reports as were ever laid before Parliament. From these they learned that the bogs of Ireland were all level, and on an average of 300 feet above the sea, intersected by streams which served as natural outlets for the water taken from their centre. From them they also learned that a portion of Ireland, little more than one-fourth of its entire surface, and included in a line drawn from Wicklow Head to Galway, and another drawn from Howth to Sligo, comprised within it about 6–7ths of the bogs of the island, exclusive of mountains and bogs under 500 acres in extent, in its form resembling a broad belt, with its narrowest end nearest the capital, and gradually extending in breadth, until it reached the western ocean. This great division of the island, extending from east to west, was traversed by the Shannon from north to south, and was thus divided into two parts; of these the division to the westward of the river, contained more than double the extent of bog to be found to the eastward. Where distress was greatest, the House would perceive the means of employment was most abundant. He should proceed to show, from the testimony of the ablest and most scientific men of their day, that the reclamation of these wastes was not alone feasible, but would be remunerative, and to point out the course, that without any embarrassment to the finances of the country, could be pursued for this purpose. Mr. Nimmo reports that—

> "I am perfectly convinced that any species of bog is, by tillage and manure, capable of being converted into a soil fit for the support of plants of every description, perhaps the most fertile that can be submitted to the operations of the farmer. On the whole (he says) I am so perfectly convinced of the practicability of converting the whole of the bogs I have surveyed into arable land, at an expense hardly ever exceeding the gross value of one year's crop, that I declare myself willing to undertake the drainage and formation of the wastes in any piece of considerable extent for one guinea an acre, which is about seven years' purchase of the rent it would then afford."

Messrs. Griffith and Longfield entertained similar opinions. Mr. Ahern's experience has proved that reclaimed bog will make a most prolific soil, furnishing almost all the principal necessaries of life in abundance, and of as good quality as the produce of the rich and fertile soil of the adjacent country. Mr. Brassington, in addition to the other advantages, dwells strongly on the improvement in the salubrity of the climate, which would follow the reclamation of the bogs. The Commissioners state—

> "That the reclamation of the bogs would, according to the estimates of the different engineers employed by them, return to the improver a permanent rent of from 10 to 15 per cent on the expenditure; and they go on to say, 'It is not on mere theoretical speculation that these premises are rested; our engineers uniformly adduce the example of hundreds of acres actually improved within their respective districts to justify their estimates."

Mr. Edgeworth states—

> "That it is not surprising that the project of improving Irish bogs should have occurred at different periods, both to individuals who had only their own profit in view, and to the patriots who were zealous for the prosperity of their country. Undoubtedly (he says) it is an object of the highest importance to the State, and particularly to this portion of the empire, because the mode of life is such in Ireland as would immediately be suited to the cultivation of the kind of soil which may be obtained by the first stage of improvement in bogs. Much of the cultivation amongst the great mass of the people in Ireland is carried on by the labour of men without the plough; the soil of newly-reclaimed bog would not, for some time, bear the tread of cattle, though it might be manufactured by the spade and shovel. He offers to reclaim 1,000 English acres for 7,800*l.*"

The Committee of 1830, to inquire into the state of the Irish poor, report:—

> "The possibility of recovering the bog districts of Ireland has long been the matter of parliamentary attention; it appears there are three millions

of Irish acres of waste lands, equal to five millions English, which are considered almost all reclaimable. The Committee of 1819 state, that it was proved before them for an expense of 7*l.* an acre, land in the county of Sligo had been reclaimed and rendered worth 30*s.* rent per acre."

This evidence was confirmed by an intelligent witness who considered the expense of improvement to have been rather overstated: both these witnesses were Englishmen, having no local bias whatever to influence their judgment. Similar evidence was given by General Bourke and others; and the Committee go on in this report:—

> "When the immense importance of bringing into cultivation five millions of acres now lying waste, is considered, it can only be a subject of regret and surprise that no greater progress has been made in this undertaking. Were this work accomplished, not only would it afford a transitory but a permanent demand for productive labour, accompanied by a corresponding rise of wages and improvement in the condition of the poor—opportunities would be afforded for the settlement on the waste lands of the peasantry, now superabundant in particular districts. This change would be alike advantageous to the lands from whence the settlers are taken, and to those to which they are removed, and would facilitate the introduction of a comfortable yeomanry, and an improved system of agriculture into the country; the screw pressure of the clearance sustem would be mitigated, and the general state of the peasantry improved."

Bog improvements were stated not to be permanent: this he was prepared to disprove. As to the permanence of improvements of this nature, Mr. Griffith reports on 292 acres reclaimed by Mr. French, of Woodlawn, fifty years before, and observes that they effectually contradict an assertion frequently made, that bog, however reclaimed, will again return to its original state, if left undisturbed for a few years. He says that eighty years before the time he wrote, there were but eight acres of green ground between the town of Castlebar and the sea coast, a district which at present supports about seventy thousand souls. Mr. O'Flaherty, who reclaimed one thousand acres, mentions the reasons which prevented such works being more generally undertaken, viz. the uncertainty of the mearings of the different proprietors, and the impossibility of getting the proprietors of adjacent estates to join in the necessary main drainages: both these objections are now removed by the Ordnance Survey and Drainage Acts. The Dutch, in the time of King William, offered, on condition of being governed by their own laws, to form a colony in the Queen's County, and to make meadow of the whole Bog of Allen. The Bog of Allen is in the same state that entertained that in the event of the drainage and reclamation of the bogs, the country would be left without sufficient fuel. It seems not to be generally understood that if the bogs of Ireland were reclaimed, we should derive not merely the advantage of cultivating their surface, but at the same time the power of applying them for fuel would be increased some thousand fold. The beneficial effects of improvements of this nature he could show from other countries. He would not trouble them with a statement of what had been done in Holland, nor lately in France and Algeria; one example would probably suffice: In Sweden formerly it was necessary to import from Dantzic or Holland every year, corn to the value of from three hundred thousand to four hundred thousand pounds sterling; but the commercial scale has been completely turned since 1803; upwards of six thousand farms have been reclaimed out of large tracts of waste lands; the result has been of immense value to the agricultural prosperity of Sweden. Instead of depending on foreign supplies of grain, she affords abundant provision for the inhabitants, and annually exports a considerable surplus. In 1829, the deficient harvest of France was recruited from the produce of Scandinavia, and in 1830 the ports of Malmo, Loncrona, and Wisby alone, sent to England 32,000 tons of oats, and 6,000 of barley. The present position of Connaught was frightful to contemplate, and unless employment was procured for the people, they must perish by thousands. The poor-law passed by Parliament, in defiance of the representations of Ireland, could no longer be maintained under it—the property of the country had been almost destroyed, and the people starved; it was unsuited either to the interests, the wants, or the wishes of the people, and if longer persevered in, the existence of any poor-law in Ireland would be endangered—a result, he for one, should deeply deplore; but he told the House that the entire force at the disposal of Government would not collect the rates under the present system, or maintain the existing law two months longer. They might endanger the connexion between the countries by a refusal to retrace their steps. It would require three millions a year to support the poor of Connaught under the present law, whilst the annual value of all the property of the province rated to the support of the poor was but a million and a half. In this province there was in Galway 708,000 acres it was 150 years ago, and so will the five millions remain. A prejudice is generally of waste lands; Leitrim, 116,000; Mayo, 800,000; Roscommon, 130,000; Sligo, 152,000: nearly two millions of acres. He regretted the Government had allowed themselves to be sneered out of their measure last year by the right hon. Baronet the Member for Tamworth, and the noble Lord the Member for Falkirk. England, when her own interests were concerned, knew the value of such measures. Witness the Bills which followed the 43rd of Elizabeth. Though the present poor-law could not be maintained in Ireland, an effectual law for the support of the poor could be established; but to it every description of property must be rated: mortgages and annuities must pay their proportion, as they did here, to the income-tax. One shilling in the pound would raise a fund sufficient for the purpose, if rated on every description of property. This should be administered under the direction of a central board, by whom the proportion of the fund necessary to meet the distress of each district would be decided; and if the actual expenditure exceeded their award, the excess should be levied off the union. The heads of the Bill he proposed to introduce were—

"1. That two Commissioners be appointed, who, with the Chairman of Board of Works, shall be the Commissioners for the purposes of this Act.

"2. That such Commissioners should be enabled to appoint engineers, surveyors, and other officers.

"3. That Commissioners should have power to make surveys and estimates of waste lands, and to take the same compulsorily under the provisions of the Lands Clauses Consolidation Act.

"4. Commissioners to have power to reclaim the land so taken—to lay them out in farms of not less than ten, or more than 100 acres—with power to sell or let the same in perpetuity, or for a term of years.

"5. Right of pre-emption of the whole or part of such lands to the original proprietors.

"6. Commissioners to have powers for the general maintenance of the works, &c., similar to those vested in the Drainage Commissioners.

"7. Commissioners to have powers to issue debentures, limited in proportion to the value of the land, and secured thereon. The extent of such issue must be determined by experience. Taking the waste lands of Ireland alone as the basis, there is improveable for cultivation and pasture 3,755,000 acres. There is, probably, another million that might be planted. If the present value of these wastes be averaged at 1*s*. 6*d*. per acre, the sum at twenty years' purchase would exceed 7,000,000*l*.: one-third of which, or 2½ millions, might safely be taken as a limit for the issue of debentures.

"8 Commissioners to have power to borrow from the Government such portions of the money advanced for the relief of the famine in Ireland as shall from time to time be repaid by the counties."

To this plan he could not see any objection. A very able friend of his, who had given this subject much consideration, wrote to him some short time since—

"Bank notes are now issued upon two bases:—

"1. Government securities held by the issuing bank to a certain amount.

"2. Bullion retained in the bank coffers. The proprietors of land in Ireland might, without any violation of principle, be enabled to hypothecate their lands to the Government for the purpose of their being made the basis for the issue of notes to a certain amount, which should be limited to a definite proportion of the value of the lands.

"The plan might be made to work somewhat in this way:—

"A proprietor possessing lands capable of improvement might be authorised to lay a report before the Board of Works, as is done under the present Land Improvement Act, setting forth the value of the lands, the nature and cost of the proposed improvements, and the probable profit. The Board should be required to investigate the facts, and if they should report that the improvements were feasible, and the statements as to value, &c., correct, the proprietor might then be authorised to apply for a loan to the amount of (say) a third of the existing value.

"Say the lands were reported to be worth 15,000*l*., the proprietor might be authorised to apply for a loan of 5,000*l*. His application should specify the particulars of the proposed outlay, and the number and amount of the instalments in which the money would be required, and these particulars should be vouched by the Board of Works, upon whose certificate an issue of land debentures to the amount of the first instalment should be made from a distinct office to the proprietor. The application of the proprietor, and his acceptance, together with the certificate of issue of debentures, should form a lien on the land, and should be made to give power to the Government to sell it summarily in case of the interest not being punctually paid. The issue of debentures for subsequent instalments should only be made upen the Board of Works' certificate of the actual expenditure of the former issue in the manner proposed.

"The debentures should be for sums varying from 20*l*. to 100*l*., and should bear a certain daily interest like Exchequer-bills, and this interest should be 1 per cent lower than the interest to be paid by the borrowing proprietor. Thus, if the latter was charged by the Government 4½ per cent per annum, the debentures issued to him should bear an interest to be commuted per diem, at the rate of 3½ per cent per annum. The difference would pay the cost of management, and would leave a surplus to be applied to the creation of a redemption fund, which should be used, from time to time, to pay off the loans upon lands in the order of the priority of their hypothecation.

"The Bank of Ireland should be authorised to issue notes upon the basis of land debentures, as the Bank of England now does upon the basis of Government securities.

"The working of the plan would then be in this way:—the borrower would take his deben-

> tures into the stock-market and sell them; they would sometimes fall into the hands of small capitalists, and be held as a convenient interest, paying security; sometimes they would be bought by the bank, and, if necessary, made the basis of an issue of notes. In falling into the hands of small capitalists, they would produce the desirable effect of tapping hoards of available money now lying useless in stockings, the thatch of houses, or, what is nearly as bad, savings banks."

He trusted Her Majesty's Government would not offer any opposition to a plan by which the surplus labour of the country would be provided for, and 500,000 labourers provided with farms of ten acres in extent. The annual value of the produce of these lands would be raised from 751,000*l.* a year to 22,520,000*l.* The magnitude of the evils under which Ireland was suffering demanded comprehensive remedies, and he trusted that the enlightened recommendations of the noble Lords the Members for King's Lynn and Falkirk would encourage his hon. Friend to enter on the right path. The hon. Member concluded by moving for leave to bring in a Bill to facilitate the reclamation of waste lands in Ireland.

Mr. P. SCROPE, in rising to second the Motion for leave to bring in the Bill, expressed his regret at the little attention which the House had accorded to the exposition which the hon. Member had made of the benefits derivable from a measure having for its purpose the reclamation of waste lands in Ireland. He had taken the deepest interest in this question during the last twelve years. He had become convinced so early as 1835, when a Member of the Board of Works, that to ensure occupation and subsistence to the Irish peasantry, they would inevitably have to compel the reclamation of the lands now lying useless and uncultivated, while a fine population was idle, and therefore was starving; and in 1846, on the failure of the potato crop, he had again brought a proposal under the notice of the House very similar in its main provisions to the Bill which the hon. Member now sought to introduce. It had been said that the poor-law, now introduced into Ireland, would accomplish the object of providing employment for the ablebodied poor. But the mode in which the poor-law was administered in Ireland was not according to the principle adopted in England even. The poor-law here from the earliest times required that the poor who could not find work, should be "set to work." In England, however, almost all the ablebodied could find work; whereas in Ireland it was notoriously difficult for the ablebodied to obtain any employment. The relief given there was in the shape of food, not in in return for labour, but gratuitous relief, which tended to nourish idle habits. Last year the stones broken, which were of no use and encumbered the country, were valued, at the cost price, at a million of money. Other measures had been devised for the employment of the ablebodied poor—the million and a half loan under the Land Improvement Act, the Landlord and Tenant Bill, the Encumbered Estates Bill; but these were all inadequate, or were too slow in their operation, and of too cumbrous and complicated a character, to give prompt productive employment to the poor. Then, what was there but ruin to Ireland if something were not done? Nothing but some strong interference on the part of Government could provide a remedy. He had presented a petition from the ratepayers of the Ballina union, in the county of Mayo, which depicted a frightful state of distress, whilst large quantities of waste lands lay around. The petitioners stated that more and more land was every day left untilled, from the poverty and ruin of the holders; that the increasing rates were adding to the number of ruined farmers; and that there were vast tracts of waste but reclaimable land within the union upon which the labour of the poor, now unemployed and idle, might be made to produce enough for their own support, and by this means the progress of ruin might be stopped, whilst the cost would be amply repaid by the produce. It was admitted that throughout the west and south of Ireland there was general distress, a redundant population, yet an abundance of waste land offering ample means of employing that population. Emigration had been put forward as the true remedy.

> "Promote emigration," said Mr. Sidney Hall, "from Galway town into the neighbouring wastes of Connemara—the hundreds of thousands of barren acres of the 'wild west,' which (to the eternal shame of their owners be it spoken) never yet sustained life in aught but the hare and grouse; but which, while they would largely repay cultivation, are sufficient to grow food for the whole unprovided population of your country—a country which some people, unthinkingly arraigning the wisdom of Providence, describe as over-populated, with its millions of acres waste."

Ireland was, in fact, the very last country that could spare her people. So far from being over-peopled, if the land was properly improved, drained, and reclaimed, Ireland would not have population enough to carry out cultivation to its full extent. The Report of the Poor Inquiry Commission of 1836 had recommended the policy of a measure for enforcing the improvement of that country by the reclamation of the waste lands. Lord Devon's Commission had recommended the same thing. In spite of these repeated recommendations, however, the matter had slept, and nothing was done to give effect to one of the greatest means of improving Ireland. It had been made a question whether the bogs, swamps, and morasses of Ireland were really reclaimable with profit. He would ask Gentlemen to consider the attempts that had been successfully made to reclaim such land in England and Ireland with the most profitable result. No one could travel over Chat-moss towards harvest time without seeing what was once a bog, now growing magnificent crops of corn, and paying as high a rent as the best lands. The cost of reclaiming such land in Lancashire was, on the average, 10*l.* an acre, and it proved a most productive and profitable investment of capital; land being made worth 20*s.* and 30*s.* an acre which had been previously of no value at all. Mr. W. France had reclaimed about 1,000 acres on Rawcliffe-moss, near Garstang, very much in a similar state to what the Irish mosses were: about twelve years ago he began improving his moss, and, having expended 9,000*l.*, the outlay now paid 10*l.* per cent; and it should be remembered that the average rate of wages in Ireland was not half that in Lancashire. Under these circumstances, the omitting to employ the numbers of idle and starving ablebodied men in Ireland in reclaiming the vast bogs immediately under their eyes, and surrounding the very workhouses where they were maintained in idleness, was criminal madness; it was acting contrary to the designs of Providence not to avail ourselves of those resources which were placed in our hands. Nor were there wanting numerous examples of the reclamation of the waste lands and bogs in Ireland, from a few acres to several hundred, with success and profit. Mr. Cecil Wray, a magistrate in the county of Donegal, had reclaimed very large tracts of moor, and was repaid by the second year's crop. Mr. Reade, of the county of Galway, had reclaimed 500 acres, worth about 2*s.* 6*d.* per acre. The very first crop paid all his expenses, leaving the land worth 20*s.* per acre. These and many other instances of successful experiments were stated before Lord Devon's Commission. In some cases tenants had reclaimed; but not unfrequently, when they did so, their rents were, as a consequence, raised. Tenants, therefore, could not be expected to drain bogs, as they knew and found, in a number of instances, that if they undertook to do so, and rendered the land more valuable, in two, or three, or four years, the agent stepped in and put on an additional rent. It was a singular and striking fact, that the greatest amount of waste land lay in those localities where there was the greatest number of ablebodied poor. Those particular counties, from Donegal to the north of Ireland, where the greatest extent of waste lands was found, were at this moment occupied by an idle population, in a state of destitution for want of employment. How was the object to be attained of setting them to work on the land, which was so capable of producing the food necessary to maintain them? Private enterprise could not do it—private enterprise had not drained the cultivated land. Landlords, burdened and embarrassed as they were, could not be expected to undertake the reclamation of lands for the great mass of the people. Had we not, therefore, arrived at a dead-lock? Private capital would not flow into Ireland for want of security, arising from general distress and discontent; and that general distress and discontent could only be removed by employment, which nobody could give. Here then was a vicious circle—here was a crisis which could be met only by the active interference of the Government. His object in the Bill of 1846 was twofold—namely, to give temporary employment to the ablebodied out of work, and to locate a body of proprietary tenants on the land so reclaimed. After bestowing upon this subject a good deal of attention, his present impression was that it would be most desirable to carry the principle of the proposed Bill into practical operation by means of the machinery which the poor-law supplied; for example, the guardians under the poor-law might be authorised to send all ablebodied paupers to the officers of the Board of Works, who should employ them in the reclamation of waste lands. If the paupers now maintained in idleness were employed in under takings of that class, the country could not fail to derive from their labours a return of the full amount, at least, of the sum expended. One of the earliest objects now proposed, would be to make immediate progress in the great work of arterial drainage: that having been once accomplished, the labour of reclaiming acre by acre might proceed from year to year, and be carried on perhaps by the unassisted labour of those who might be located in the farms which would be cut out of the waste. Captain Kennedy, one of the highest authorities connected with the improvement of land in Ireland, stated, that if the work of reclaiming waste lands in Ireland were judiciously carried on in the manner now proposed, there might at least be 500,000 men removed from the present overcrowded labour-markets of the country. He calculated, no doubt, that it would raise the produce of 3,000,000 or 4,000,000 of acres of land to 6*l.* an acre, which now yield only 4*s.* on the average per annum. The compilers of the digest of the Devon Commission asserted as the result of a calculation carefully made on a close investigation of the evidence taken by that Commission—

> "That nearly 200,000 families, comprising 1,000,000 of souls, might be permanently and happily provided for upon lots of eight acres of good, and twelve of inferior, waste land (farms, that is, of twenty acres the average each); and, if properly selected from the now redundant small farmers or cottiers, this would enable their holdings to be consolidated up to eight acres, thus providing a comfortable maintenance for 134,000 more families, comprising 750,000 more souls. By this at least 500,000 labourers will be abstracted from the now overcrowded labour market and land market; and the evidence leads to the conclusion that this can be done not only without loss, but with a very large permanent gain—raising the produce of the 3,755,000 acres of waste land, now not averaging 4*s.* per acre, to a value of at least 6*l.* per acre—that is, creating a new produce of the annual value of at least 22,000,000*l.* The first three or four years' crops will return the cost requisite to bring about this change."

Mr. Kennedy showed that this process would not cost one-eighth of the expense of providing the same amount of relief by draining and subsoiling the cultivated lands, while the effect would be temporary, not permanent. He showed, too, that to produce the same amount of relief by emigration, would cost twice as much, the effect being far less valuable, if practicable. "Reclamation of waste land, moreover, could be carried on," he said, "at all seasons of the year, no crops being in the way." His estimate was — "For the cost of emigration, 20,000,000*l.*; drainage and subsoiling, 80,000,000*l.*; waste land reclamation, 10,000,000*l,*" an equal effect in relieving the overcrowded labour-market being produced by the latter comparatively small expenditure. And he proved by abundant evidence that a farm of eight acres of average land, well cultivated, would keep a family in comfort, paying a fair rent. Blacker had proved the same by practical experiment, even during three years of famine. His ten-acre farmers were holding their ground and their stock, notwithstanding the two years' scarcity. It was to be remembered that Captain Kennedy was not only secretary to the Devon Commission, but that he was a practical improver of great skill and experience, who had been extensively employed in improving the estates of Sir Charles Style, and other proprietors in the north of Ireland. Unless the Legislature of this country undertook some large operation of this kind for securing productive employment to the ablebodied paupers, he believed they never would be able to solve the tremendous problem which the condition of Ireland presented. He would conclude by quoting the opinion of Mr. Delmine, a magistrate of the county Wicklow, who at a public meeting declared that the monster grievance there consisted in the relation subsisting between landlord and tenant—that there were 4,000,000 of acres of land in the country now waste and neglected, which, if cultivated, would give a return for the capital expended of from 8 to 20 per cent—and that within the last six months more money had been expended in useless public works than would have sufficed to pay the charge of bringing a very large proportion of those lands into cultivation. In many counties of Ireland the people were starving, though the land was not more than half tilled; mortgages were being foreclosed—famine was prevalent in every part of the country—property was plundered in open day—and the whole island was one great lazar-house, in which no trade flourished but that of the coffin-maker. Those were the statements made by a well-informed and dispassionate magistrate of Ireland. There was in that country a mass of destitution which Parliament must meet. The people must be employed, and they ought to be employed upon productive improvements; the waste lands offered the means of doing so without loss or injury to any one; and it was for the Government to take the matter into their own hands, or a heavy responsibility would rest upon them, if through want of exertion on their part, the country should drift onward, as he feared it was rapidly doing, to irretrievable ruin.

Sir GEORGE GREY: I do not rise to offer any opposition to the introduction of the Bill which the hon. Member proposes. I admit the importance of the subject, and that it is most desirable, by practicable measures, to facilitate the employment of the poor in Ireland; and I believe that means do exist for employing them on the soil of Ireland to a great extent. At the same time, to talk of waste lands in a country the whole of which is apportioned into separate estates, is using the word in a sense in which it is not used in relation to the colonial possessions of the Crown, where land is never appropriated. My noble Friend has promised to lay on the table a Bill embodying his views as to the best means of effecting an object so important in itself and so desirable. I am quite aware of the difficulties which exist in the way of the apportionment of property, and the great danger of aggravating the evil which it is proposed to diminish. I shall be glad if my hon. Friend will enable us to overcome the difficulties with which the question is surrounded. I understand that he does not propose to avail himself of the machinery of the Government, and a large staff of Government officers, and does not ask for any grant of public money. To accomplish this object, I shall be glad to give him every assistance in my power.

Mr. S. CRAWFORD approved of the proposition of his hon. Friend: he thought it of the greatest importance that some means should be devised for the employment of those who were now receiving their livelihood from the rates.

Leave given.

PARDON OF POLITICAL OFFENDERS.

Mr. O'CONNOR, in rising to bring forward the Motion of which he had given notice, felt himself under peculiar difficulty, as he generally did, whenever he rose in the House to bring forward any Motion connected with popular movements. For the last fifteen years, both in the House and out of the House, he had been connected with popular movements in this country, and, as a matter of course, a good deal of odium attached to his own character, and under no circumstances more extensively than in the present case. He was aware that the House had on a former occasion given this matter the best consideration; and he was also aware that whenever it had been mooted in or out of the House, his name had been very prominently mentioned; and it was in order to purge himself of any suspicion which might attach to him, so as to enable him to become the advocate of those persons whose liberty he now sought to restore, that he should occupy the House for a single moment in contradiction of allegations which were wholly unfounded. Hon. Members were perfectly aware that the outbreak, of which these parties were the victims, was the consequence of distress. The country was much disturbed—there was a great deal of poverty and discontent—and it had been industriously circulated by the press that he was cognisant of the facts connected with the outbreak at Newport, and that he had absconded and gone to Ireland. He was happy to seize this first opportunity of declaring, in the face of the country, that he had never heard of it, and was not aware of such a thing being in agitation till after it had occurred; and if he had been aware of it he should have thrown himself into any danger that presented itself to save those whose lives were in danger. He must remind the House that this question had before been favourably considered by the House—that when the Speaker's predecessor filled the chair, the question had been brought before Parliament, and had only been decided against the restoration of these parties and all other political offenders by the vote of the Speaker. Surely, then, he had sufficient grounds, if he had no other, for making this appeal to the clemency of the House and the mercy of the Crown. It was very well known how slight was the distinction in troublesome times between what was called sedition, riots and tumults, and high treason. He was proud of having attempted to gain a fair trial for these men, who were in the same movement with himself—he had sat under the dock listening to their trial—he had given them every countenance and assistance—and, after all, had heard the Judge emphatically charge for an acquittal, the Judges being divided as to whether they were legally put upon trial at all, one being in favour of the prosecution, and two in favour of the prisoners. A mere patient hearing—a more impartial trial—never took place. However, they were convicted of high treason; but he could tell the Government that one of the jurors, who had been served by a wrong name, came to him afterwards, and was willing to make an affidavit that he was not the man called on the jury, and that it was only by the influence of the foreman of the jury that he found the parties guilty of high treason—that all that he then found them guilty of was being at Newport when the troops were under arms. The object of the meeting in the first instance, as proved by the very evidence examined on the trial, was not to levy war against Her Majesty—not to oppose the troops then at Newport—but simply to call upon the magistrates as a deputation, and to insist on better treatment for Vincent, then a prisoner in Monmouth gaol, who was treated in a barbarous manner. The question as to whether the trial should go on afterwards came before the Judges in error, when six divided in favour of the legality of the objection which was taken, and nine against it. Every man knew it was a maxim in law, that when a doubt existed, the accused should receive the benefit of that doubt. Could the matter be said not to be doubtful when the three Judges differed, and fifteen Judges differed more materially? He should not attempt to say what was the character of the six Judges who were in favour of the legality of the trial, for all Judges were equal. If, then, on these grounds alone he was to make his appeal to the clemency of the Government and the mercy of the Queen, should he not make that appeal on strong grounds? We all knew that in other countries, whenever anything produced public exultation or rejoicings, advantage was taken of this exultation in regard to political events; and where political offences were committed, even such as were dangerous to the existence of the monarchy and the institutions of the country, the monarchs had sought the opportunity of the first jubilee to grant a free pardon. Since this trial we had had a Royal marriage; we had had many Royal births; but instead of taking the opportunity of pardoning political offenders, the hulks and the gaols were searched, and pickpockets and thieves were let loose; and to them the Royal clemency was extended. If he were to base his Motion on no higher pretensions than these, he might justly ask the exercise of the Royal prerogative; but he went further, and contended that these parties had fully expiated their crimes. It was admitted by all that ample time should be given to men to repent; and the object of punishment by banishment was, that men should become good subjects. At the present moment Mr. Frost, who had been considered so bad as to be convicted of high treason, was a tutor in a clergyman's family. Did not that prove that there was something essentially good in this man? that he must have been operated on by circumstances over which he had no control, and been forced by other persons into acts against his own wish? He (Mr. O'Connor) was bound to say, that no movement had taken place in the country for the last fifteen years to which he had not been a party (and he trusted he did not injure the cause of his clients by thus manfully avowing it); and if there had been such a thing as a premeditated outrage, or a conspiracy to destroy the power of the Queen, or to attack the soldiery, or to subvert the constitution of the country, he thought he might say, he was sufficiently in the confidence of the people to have heard it, to have learnt it, and to know it. But there was a still more important fact connected with the movement, and he was borne out in that statement by the question of which notice had been given by the hon. Member for Limerick, who had said that he would to-morrow ask the Secretary of State for Ireland whether it was not proved that a subordinate of the Government was a manufacturer of pikes in Ireland? If he were allowed, he could show that the Government was aware of the person who got up this outrage. All the circumstances were made known and communicated to the Government; the individual who attended these meetings was never examined, but afterwards went to Lancaster and York to establish the same ruin there. He was in Lancaster and York when the man, who was described as having a glazed hat, came with large placards inviting the people of Lancaster and York to revolt, and assist the men of Wales; and although he had been reviled for having known of this, and absconded when danger was apprehended—if it had not been known to him, this man would have created in those parts the same misfortunes and heartburnings, After the decision which had been come to—after the division which had been amongst the Judges, he would ask the House whether it was expedient and just to retain those men, not as prisoners, but as hostages? If the Government wished to win the affections of the people, they should win them by clemency and mercy, but not by coercion. Perhaps if some hon. Member had taken up the question, it might have been more successful than it would be in his hands; but he had adopted it from a desire to induce the Government to take a wise as well as a merciful course towards those individuals. Such a line of conduct as he would recommend would be a valuable concession to the popular opinion of this country; and if ever there were a necessity for such a concession it existed at this moment, when the minds of men had been so strongly directed towards changes. He was sorry that the noble Lord at the head of the Government was not present, because a general belief prevailed that the course adopted against Frost had been caused by a supposition that the noble Lord was to be opposed at Stroud by Mr. Frost with every chance of success. He hoped that the House would agree with him in exhibiting their opinion that the laws were so strong and the constitution so powerful, that they would prevent the possibility of danger on the liberation of those individuals. He was aware that he made this Motion at an unseasonable time, after the notice which had been given that evening by the right hon. Baronet; but he could not but remark that since 1842, up to the present moment, notwithstanding all the distress which had afflicted the people, there had been a perfect absence of political offence; and under those circumstances he would implore the House not to keep those men any longer in their present degraded condition, but to agree to their immediate restoration to liberty, by which neither the law nor the constitution could be injured. The hon. Member concluded by moving—

> "That an Address be presented to Her Majesty, praying that Her Majesty would be graciously pleased to extend Her Royal pardon to John Frost, Zephaniah Williams, and William Jones, and all other political Offenders."

Sir G. GREY: The hon. Member began his speech by disclaiming, with the natural indignation of a man to whom an unjust imputation has been attached, the charge of having been cognisant of those proceedings which led to the conviction of Frost and others—of having been a party to those designs which were developed in a treasonable attempt made to subvert the institutions of the country—and of having afterwards absconded and stayed away from the place of danger. [Mr. F. O'Connor: It was so stated in the press.] I never heard of the charge, and I have never seen in the conduct of the hon. Gentleman within the walls of this House, or heard from him language, however warmly he may occasionally speak, of which any complaint could be made, that it was calculated to excite others to crime. The hon. Gentleman has said that this is not the first occasion on which this subject has been brought before the House; but he is mistaken in stating that on any occasion on which the question was discussed an equal division took place, and that the Motion was negatived only by the casting vote of the Speaker. I think the hon. Gentleman will find that the Motion on which the division to which he refers took place, in a small House, was one which did not in the least affect the case of Frost, Williams, and Jones. That Motion was made on the 25th of May, 1841, when Frost, Williams, and Jones were in Van Diemen's Land, and was to the effect that an humble address be presented to Her Majesty, praying that She would be graciously pleased to take into Her merciful consideration the case of all persons confined in England and Wales for political offences; and, therefore, if that Motion had been carried, it would not have affected the cases of the three individuals to whom the hon. Gentleman has referred. In 1846 a Motion was brought before the House for the release of Frost, Williams, and Jones; and every circumstance that could be alleged in favour of those persons was urged with great ability; and the result was that thirty-one Members voted in favour of the Motion, which was similar to that now brought forward by the hon. Member for Nottingham (Mr. F. O'Connor), while it was negatived by a majority of 196. That, I believe, was the only occasion on which the House has come to a distinct vote on this subject. The hon. Member for Nottingham has been good enough to pay me compliments which I must disclaim, and which I cannot receive, either at the expense of any of my Colleagues, or of my right hon. predecessor in the office of Home Secretary. The speech made by my predecessor upon the Motion brought forward on this subject by the hon. Member for Finsbury, shows the spirit in which he was prepared to deal with the question; and it was acknowledged at the time that no complaint could be made against the manner in which he treated the Motion. A sense of duty then influenced the right hon. Baronet to resist the Motion of the hon. Member for Finsbury; and a sense of duty now compels me to resist the Motion of the hon. Member for Nottingham. I must take this opportunity of observing that I think it is unfortunate and inconvenient that questions of this nature should be brought before the House; because, when such statements as we have heard from the hon. Member for Nottingham are made, it becomes the duty of the Minister of the Crown to vindicate the course pursued by the Government—to remind the House of the real circumstances of the case—and to show that the crime of which the persons in question were convicted, was not of that mild, light, and comparatively innocent character which was ascribed to it by the hon. Gentleman opposite. In this case the crime was marked by circumstances, I must say, of great atrocity; and it might have been attended with consequences fatal to the peace of society and to the happiness and welfare of many families among the industrious classes. One of the grounds upon which the hon. Gentleman based his appeal to the House was, that the crime of which Frost, Williams, and Jones were convicted, was one which, in his opinion, fell very far short of treason; and he said, what is perfectly true, and what I hope will have its effect out of this House, that the lines of demarcation between sedition, riot, and treason, cannot be very easily or distinctly defined; and that when persons enter the ranks of sedition they may find themselves, perhaps inadvertently, committing acts of treason, and subjecting themselves to the highest penalties the law can inflict. The hon. Gentleman had admitted that persons may be led inadvertently far beyond their original intention, and that they may eventually find themselves the victims of the law—that law being justly and necessarily administered in such cases with a view to the protection of society. But let me remind the House what were the circumstances of this case. The hon. Gentleman says, that at the time the outbreak took place, great poverty existed in the country; but were the persons to whom the hon. Gentleman referred—Frost, Williams, and Jones—suffering from that poverty? Had they the excuse of being goaded by poverty to acts of insurrection? Had they any possible excuse for sharing in the general discontent which arose from that poverty? On the contrary, did they not, for the purpose of their own personal aggrandisement, avail themselves of the existing poverty and discontent? Did they not devise plans and schemes which would have made the dupes and instruments of those schemes the victims of their own personal objects of ambition and aggrandisement? The hon. Member for Nottingham said he would not go into the facts of the trial. I do not wish to go into the facts or into the evidence; but I may refer to one extract, which was read on a former occasion, from the address delivered to the prisoners after their conviction by Chief Justice Tindal—than whom a more humane and intelligent Judge never sat upon the bench. That learned Judge said—

> "It has been proved in your case that you combined together to lead from the hills, at the dead hour of the night, into the town of Newport, many thousands of men, armed in many instances with weapons of a dangerous description, in order that they might take possession of the town, and supersede the lawful authority of the Queen, as a preliminary step to a more general insurrection throughout the kingdom. It is owing to the interposition of Providence alone that your wicked designs were frustrated. Your followers arrived by daylight, and, after firing upon the civil power and upon the Queen's troops, are, by the firmness of the magistrates, and the cool and determined bravery of a small body of soldiers, defeated and dispersed. What would have been the fate of the peaceful and unoffending inhabitants of that town, if success had attended your rebellious designs it is impossible to say. The invasion of a foreign foe would, in all probability have been less destructive to property and life. It is for the crime of high treason, committed under these circumstances, that you are now called upon yourselves to answer; and by the penalty which you are about to suffer you hold out a warning to all your fellow-subjects that the law of your country is strong enough to repress and to punish all attempts to alter the established order of things by insurrection and armed force."

But I now understand that the hon. Gentleman does not rest his case upon the comparative lightness of the crime committed by these persons. He admits the crime, and he rests his case upon the alleged informalities of the trial. I rejoice at this; because I am glad that it should go forth on his authority to those who look up to him as their leader, that what are called political offences, such as those of which Frost, Williams, and Jones were convicted, are acts involving guilt of the greatest magnitude, and are deserving, if a legal conviction is obtained, of being punished with the utmost severity of the law. Without wasting the time of the House by going into the circumstances under which those parties were convicted, I will come to the point upon which the hon. Gentleman now relies, namely, the alleged illegality of the convictions. Persons who are tried for treason are entitled to peculiar privileges: they are entitled, by Act of Parliament, to a copy of the indictment, and to a list of the witnesses, a certain time before the trial takes place. In this case an application was made by the prisoner's solicitors to the Solicitor for the Crown for a copy of the indictment some days before the period fixed by the Act of Parliament; and the solicitor for the prosecution, acting under the directions of the Attorney and Solicitor General of the day, who were anxious to afford every possible means of defence to the prisoners, furnished a copy of the indictment to the solicitors for the prisoners some days previously to the time when they were legally entitled to claim it. The solicitors for the prosecution did not, however, furnish the list of witnesses at that time; but they delivered the list of witnesses to the prisoners' solicitors, at the period prescribed by the Act of Parliament, up to which time they might have withheld the copy of the indictment. At the commencement of the trial a point was raised on the part of the prisoners, that a list of the witnesses had not been furnished to them, pursuant to the 7th of Anne, c. 21, s. 11., the objection being that the list of witnesses ought to have been delivered at the same time with a copy of the indictment. [Mr. O'Connor: A supplementary list of witnesses was not delivered until some time after the original list had been furnished.] The hon. Member for Nottingham stated that the Judges before whom the trial took place were divided in opinion on this point, but that the trial proceeded, and the question was reserved for the consideration of the Judges. The point was argued in the Exchequer Chamber on the 25th, the 27th, and the 28th of January subsequently to the trial; and on the last of those days Chief Justice Tindal reported to the Secretary of State that the Judges, in the proportion of nine to six, were of opinion that the conviction was not illegal, for that the delivery of the list of witnesses was not a good delivery in point of law. But that was not the only question the Judges entertained. The same proportion of nine to six were of opinion that the objection to the delivery of the list of witnesses was not taken by the counsel for the prisoners in due time; and all the Judges agreed that if the objection had been made in due time, the effect would not have been to entitle the prisoners to an acquittal, but merely to the postponement of their trial, in order that a copy of the indictment and a list of the witnesses might have been delivered in accordance with the statute, and they would then have again been put upon their trial. But the Judges went even beyond this, for they came to the determination that the conviction was perfectly legal. I hope, then, that I have satisfied the hon. Gentleman that the Judges did not report to the Secretary of State that the conviction was illegal. If that had been the case, according to the ordinary and universal practice, a recommendation would have been made by the Secretary of State to the Crown, which would have entitled the convicts to a pardon; but, the opinion of the Judges being that the conviction was legal, the Secretary of State could not make such a recommendation. But here, again, the conduct of the Government was marked by anything but undue severity. Under all the circumstances, they recommended that the capital sentence should be commuted to transportation for life, and such a commutation accordingly took place. Along with Frost, Williams, and Jones, fourteen other persons were arraigned on the charge of high treason; and what course was taken with regard to them? Ten of the fourteen were allowed to withdraw their plea of "Not guilty," and to put in a plea of "Guilty;" and not one of these persons—although their lives were forfeited to the laws of the country—was even transported, but they were sentenced to various periods of imprisonment, all of which have now expired. The remaining four cases were those of persons who had not taken any very active part in the outbreak; and as it was considered that the law had been sufficiently vindicated, no evidence was offered against them, and they were consequently discharged. I must say that I think the lenity of the Government was most conspicuous; and the reason which has induced Her Majesty's Ministers to consider that it would not be right to give any other indulgence to these parties is this—that the Government conceived, from the ground upon which the cases of these persons have been put from time to time in this House and elsewhere, that by so doing they would be sanctioning one of the most dangerous doctrines that can be promulgated—a doctrine most dangerous to the interest of the great body of the people of this country, who do not possess an acquaintance with the law — the doctrine that persons having political objects in view may adopt any course they please to effect those objects—that they may have recourse to bloodshed, rapine, and murder—that they may disturb all the relations of society—and that if the law proves to be too strong for them, if they are taken in the prosecution of their unlawful proceedings, and are convicted by a jury, it is then to be said, notwithstanding the blood through which they have waded, the risk they have occasioned to the peaceable subjects of the Queen, and the peril in which they have placed the safety of the country, that they are only political offenders—that the sympathies of the House and of the country ought to be enlisted on their behalf—and that they ought to be allowed to escape unpunished. It is the leaders in these cases upon whom the law ought to lay hold. It is to the leaders in these cases that the attention of the Government is most closely directed, and upon whose acts their observation is most closely fixed; and I am sure the hon. Gentleman opposite (Mr. O'Connor), with that magnanimity which characterises him in the sentiments he expresses on the part of the working classes, will agree with me that undue lenity to the leaders would be cruelty to the great body of the people. With regard to the advice that the sentence upon Frost, Williams, and Jones should be remitted, and that they should be relieved from the legal penalties they have incurred, I must say that I think such a proceeding would tend to encourage crime, and crime of the worst character; and that any person filling the situation I have the honour to occupy, would be shrinking from the duty imperatively forced upon him if he were to sanction the doctrines embodied in the Motion now before the House. The hon. Member for Nottingham admits that no undue severity has been inflicted upon Frost, Williams, and Jones—he allows that in the colonies they have been treated with great lenity—he states that Mr. Frost is a tutor in a clergyman's family—and he adds that these persons have not been subjected to any special punishment. [Mr. O'Connor: I said they had not subjected themselves to any special punishment.] I am not aware that any complaint has been made that undue severity has been exercised to these individuals. I regret that the hon. Member has forced me to say what I have been compelled to say with regard to these persons, and to speak of them in the language of censure, which was rendered necessary by this Motion. The hon. Gentleman expressed his hope that the subject would not be treated with levity; and I must say that the House has given the most patient and considerate attention to his statement. The only expression which fell from the hon. Gentleman that induced a disposition to laughter on the part of the House, was his allusion to a report which was most unfounded—I may almost say absurd—that the proceedings instituted against Frost, notwithstanding the acts he had committed, were instigated by the jealousy of my noble Friend the First Lord of the Treasury, who was apprehensive that Frost might meet him on the hustings and prove the more popular candidate. I am sure that, on reflection, the hon. Gentleman will feel that nothing could be more unfounded and impossible than the existence of such a feeling. Under these circumstances, I shall certainly feel bound to oppose the Motion of the hon. Gentleman.

Mr. C. MORGAN said, it had been stated by the hon. Member for Nottingham that the object of Frost, Williams, and Jones, in going to Newport was to induce the magistrates to relax the severity of the treatment to which Vincent, who was then a prisoner in Monmouth gaol, was subjected. But if that was their object, it certainly appeared extraordinary that they should have chosen such an hour as two o'clock in the morning for their visit to Newport; that they should have been accompanied by armed bands of men; and that they should have prosecuted their journey on one of the darkest and most tempestuous nights that had ever been experienced in that part of the country. He could state, from his own knowledge, that during the period of Vincent's imprisonment, at Monmouth, he was allowed every indulgence compatible with his position. It had been stated by the hon. Member for Nottingham that a person wearing a glazed hat, who had frequently been seen in the neighbourhood of the hills previously to the outbreak, was a Government spy, who had incited the people to violence; but if there was any foundation for this statement, it was strange that the circumstance had not been urged in favour of the prisoners at their trial.

Mr. HUME had before expressed his opinion that this case had been dealt with in a manner contrary to the usual practice in criminal cases. He considered that Frost, Williams, and Jones, had been illegally convicted and sentenced, and that they were now illegally detained in transportation; and he would therefore vote for the Motion. England and Russia stood alone in withholding an amnesty from political offenders; we ought to have had the liberality to grant it before this.

Mr. AGLIONBY considered the Motion vague in its phraseology. It differed from every Motion which had been made upon the same subject. Without entering upon the question of the guilt of those men, he would say that he thought it very meet and competent to the petitioners to pray for a remission of their punishment; he held the same opinion in 1846; and if the hon. Member for Nottingham would alter the terms of his Motion, and if he would specify the names of those parties for whom he would wish to interest the Royal prerogative, he was prepared to vote in its support.

Mr. WAKLEY would not enter into the particulars of the case, nor was he going to say that these unfortunate men committed no offence; but he begged the House to remember, that had they been successful in their attempt, they would have been designated as heroes, and not as criminals; and that that House would be lauding their heroic conduct, as successful men had been lauded in other countries. All he desired to do was to draw the attention of the House to the state of feeling which was manifested upon this subject by the working classes in the country; the display of which occasioned some little uneasiness to Gentlemen upon the Treasury benches. [Sir George Grey: Not in the least.] The working classes had a right to feel deeply upon the matter; they were not properly represented in that House; and as the law at present stood, it was impossible for them to rectify that evil. These classes, comprising millions, to a man believed that Frost and his companions were illegally convicted—that opinion could not be shaken; even the hon. Member for Montrose, after all he had heard, strongly maintained the same opinion. Sir Fitzroy Kelly and the present Chief Baron stated that to be their belief; and they were all aware that there was a difference upon the subject among the Judges. Under these circumstances the working people of England besought the humane bestowal of the attention of the House on the case of these unfortunate men. Were they prepared to concede anything to the working people? He believed that they were prepared to concede very little. He considered that after the manner in which they had persevered in the manifestation of their wishes, that it was the bounden duty of the House to interpose and claim the indulgence of the Royal prerogative. The noble Lord at the head of the Government interfered in the case of the Dorchester labourers; and had those men, who were convicted of a very slight offence (designated by the Judge as very serious), recalled to their country; and he would ask, what did the House lose by that concession? Nothing; it had gained the gratitude and the confidence of many: and when he reflected how much was done for the country by the working classes—how much they contributed to its wealth and happiness—it did appear to him, that year after year their petitions were not treated with the respect to which they were entitled, and that it was not the Government, but the House, which had misconducted itself upon this question. Look at their conduct towards traitors in the shape of kings, who laid plots and entered into conspiracies against the liberties of their subjects—who endeavoured to abridge their privileges, and trample upon their rights. When these royal miscreants came from foreign countries into this, they received the attention of the highest persons in the land. ["Oh!"] "Ay, I say royal miscreants and royal ruffians—they can experience the kind sympathies of your nobility: even Royalty itself does not refuse to receive such royal miscreants into the Palace, and to bestow sympathy and favour upon them. I regret to see this, Sir, when I see the inattention which is bestowed upon the anxious petitions of the working people of this country."

Colonel THOMPSON had been asked by his constituents more than once what course he would take with regard to the case of Frost, Williams, and Jones; and his reply was, that if they would allow him to take his own course, he would do the best he could for them. In pursuance of that pledge, he now took the liberty to impress upon the Government how much the heartburning and ill-feeling might be removed by a display of clemency. The time chosen for the Motion was not a very happy one: a week sooner or a week later might have been better; but the sentence must eventually have the revision of the Government—and he should hope that, at some time or other, their decision would be favourable. If in the meantime they would take the preliminary step of allowing the parties to quit the penal colony under an engagement not to return to the country of their birth, that would have a most favourable effect, and the Government would find themselves strengthened not weakened by it.

Mr. SHARMAN CRAWFORD had formerly voted in support of a similar resolution, on the principle that it was not useful to prolong punishment, when there was sufficient proof of the power of the law to vindicate itself and to put down crime. It was the deep desire of the working classes that their pardon should be wholly granted; and he trusted that the Government would take their case into its favourable consideration.

Dr. BOWRING said, in accordance with the wishes of large electoral bodies in the kingdom, of whose sentiments he was fully cognizant, he was prepared to vote for the Address.

Sir D. DUNDAS regretted that he had not been able to attend the House sooner. He entered only when the hon. Member for Finsbury was addressing the House, and he was surprised to hear him say, as if that were an argument to be addressed to the House, that the people of England—who they were he did not know—were dissatisfied with the verdict; and because the people were dissatisfied, therefore they, lawyers and men who were conversant with law, and who wished to live in obedience to law, and to the institutions of the country, should give way in a matter that they believed to be right—who knew that this question was rightly decided according to the law of the land, by which alone every man in the House and the country held what he had, whether it was life, or liberty, or property, or whatever else was dear to him. He was astonished that the hon. Member for Finsbury should in such a case lend the aid of his authority to such an argument. The hon. Gentleman was conversant with the forms of law—ay, with the substance of law—he administered the law in the way in which, by law, he was called upon to administer it; and he should therefore have been the last man, in any assembly, to tell an English House of Commons that because people were dissatisfied with a verdict, while he himself is not so dissatisfied—at least he did not understand the hon. Gentleman to say that he was so dissatisfied—therefore the clemency of the Crown must be invoked, by Parliament, to interfere and save those persons from the penalties of law, which, if they had been men of spirit and courage, and willing to adventure their all upon the success of their cause, they ought to be content manfully to bear. He did not understand men who could lightly speak of changing the Government of the country, and who could perhaps think of it as lightly, and who were not prepared to suffer everything for their principles. If he thought it his duty to his God, to his conscience, and his country, to stand up in rebellion against the establishments of the country, and that failed, he should be content to bear the penalties. He thought this was not unwholesome language in an honest man's mouth. The question the House had now to consider, was—what did Mr. Frost, Zephaniah Williams, and Mr. Jones do, and what was the penalty which they had incurred? The hon. Member for Bolton, indeed, rises at the eleventh hour, and he says, have not these men suffered enough? He should have thought that the hon. Gentleman, who was well acquainted with the meaning and the object of punishment, would not have attributed the whole of its effects to the man who suffered it in his own person. *Pœna ad paucos, metus ad omnes adveniat.* It is not what the man himself may suffer, but that a wholesome and godly fear may be inspired into others through the operation of his suffering. Let it not be forgotten that though Frost had suffered—and whether his sufferings had wrought his own good in their endurance or not he could not tell—he might be deserving of the mercy of the Crown at some time or other, and he had not risen to interpose an eternal power between him and the mercy of the Crown—God forbid!—but he was satisfied that now was not the time to relax the penalties of law in favour of persons who had been guilty of that of which Frost had been guilty, and for which he was now enduring the penalty. Penalty! He ought to thank God daily on his bended knees that he had been allowed time to repent of that which he did, and for which the forfeit of his life ought to have paid. What was the crime which Frost committed? He feared, from having come late into the House, that he was going over ground which had already been traversed. But, if the House would permit him a few minutes, he would state what was his impression of the crime. What then was the crime which Frost committed? He was a man of education. He had held a certain authority in the country to which he belonged. Therefore the stronger was the duty in him to preserve the law, and to teach others to observe it by his example. He was a man who, whether for good or evil, had influence and authority among his countrymen, and therefore the rather was he bound by his duty to his God, to his Sovereign, and to his country, to observe the law in his own person, and to take care that no one over whom he had authority, no one over whom he had control, should disobey the law. What did this Gentleman do? He had not lately read with so much attention as the hon. Member for Nottingham the proceedings in the case; but if he was not mistaken in the view he entertained of the matter, this was the defence made at the trial. Mr. Frost said, "I belong to the Chartists—I have great influence over a number of the Chartists. There was a Chartist gentleman of the name of Vincent then in Monmouth gaol. I had authority to bring down large bodies of people. I did not desire to overturn the establishments of the realm and the sway of our Sovereign the Queen; but I did desire to make—(what he thought was an exceedingly dangerous word)—a demonstration in favour of the principles which I support; and I desired, by numbers of people coming together at that time, and by my authority, to show the magistrates of Monmouth that there was a strong feeling among the Chartists in favour of Vincent; and it was on his account that we made the demonstration—that by this demonstration he might obtain a better measure of prison liberty than he would otherwise have done, and therefore we did that for which you now tell us we are punishable." Now, was not that the defence used at the trial? He was defended—rightly said the hon. Member for Finsbury—by able men, by Sir Frederick Pollock and Sir Fitzroy Kelly, and that was the defence they made for him. What, however, were the facts of the case? That he collected together many thousands of the people at the dead of night—men who knew not what they did—armed men, armed with muskets, pistols, swords, and other offensive weapons—that he led them to the town of Newport—and what was his purpose? That purpose, as he had already said—that purpose was stated in his defence. It was not treason—it was short of treason. It was a demonstration in favour of the gentleman who was then in gaol. But what said the law? The law said that, by the Statutes of Edward and of George, he who levies war against the Queen is guilty of high treason; and we find you here leading a body of many thousands of persons, with multitudes of armed men. You went to Newport to accomplish your intentions—to beat down authority—to blow up the bridge—to stop the communication with Birmingham, for that was to be the signal of defiance, when the midland counties would rise—the north of England would rise—his (Sir David Dundas's) county would rise, and in every direction the populace was expected to rise in defiance of law. He asked the hon. Gentleman if that was the offence charged? if that was the offence of which they were proved guilty? if that was the crime of which they were convicted? Was it not the gravest, considering all the circumstances of the offence, of which they could be convicted by any State authority in the world? Was there any doubt of the facts in the minds of the jury? They, one and all, after the deliberation of a very few minutes, found all the prisoners guilty; but they gave their verdict accompanied with a recommendation to mercy. They were not asked, nor did they give any ground for the recommendation so offered; but it was taken into consideration afterwards, and the Judge who passed the sentence of the law upon those persons was a wise man, a good lawyer, of a tender conscience in all cases relating to matters of life, and most ready to seek every excuse why the extreme penalty of the law should not be carried into effect. Who were the Judges before whom this case was tried? He did not know whether it was said that this trial was ill conducted, as it had been said that the verdict was wrong given. Those Judges were the very best of the earth. The first was the late Chief Justice Tindal, who had gone to his account, who was one of the wisest of lawyers, of the best of men—a gentleman who had not left his superior behind him either as a man of feeling, of judgment, of discretion, or of firmness. Who was the second on that Commission? A friend of his, who, he thanked God, was yet spared for the use of his country, Mr. Baron Parke, a most consummate Judge. He would not "praise him in the gate," for he now lived. Let those speak who can say with authority—which he had not—of the reputation he bore among the Judges and lawyers of England. There was another Judge who had since fallen by fate, the late Mr. Justice Williams. He had lived for many years on terms of intimacy with that excellent man, and he knew him; and he knew not a more honourable gentleman in the land, and he knew that he would never have done, as a Judge, anything of which his conscience did not approve. What did those Judges say on delivering the sentence of law? They agreed with the jury —they found no difference among themselves, nor any excuse that could be offered for the prisoners; and the first of the Commission—the Judge who was the organ of the court in delivering the judgment of the court—he told these men, on being called up for judgment, what the unanimous judgment of the court was, that it was not a judgment of transportation; but that by the law on which they had been judged, their lives were forfeited. He told them what is most true—what ought never to be lost sight of—what ought to be kept in perpetual memory by all classes, high and low, and by every estate in the realm, that crimes against life and property, which are ordinarily tried at the assizes, end with the sufferings of individuals, their families, and their friends; but that in the particular case in which Frost was convicted, it was a crime against all society—it broke down the barriers of safety to life, safety to property, safety to every institution in the country. For if once the levying of war against the Queen, within her own dominions, was to pass free, no one could say what was left to us in any of the institutions now belonging to us. He therefore said that the crime was great—that the trial was as good, according to law, as any lawyer ever saw in England. Every defence that could be made for the prisoners was made; they had the benefit of the best counsel—the verdict of the jury was a competent one — the Judges answered to that verdict, and approved of that verdict. Then the question was, why should the hon. Gentleman—he spoke of the hon. Member for Finsbury, because he had a value for his understanding—why should the hon. Member tell the House, in the name of the people, that they were dissatisfied with the verdict? Had the hon. Member for Finsbury forgotten that on that mischievous night nine men were shot down and killed. They died; they were of the party of Frost—he compassionated them none the less for that—but they died in the guilt and sin of rebellion. Who led them on? They were ignorant persons—poor country people, without friends, without persons to vouch for their character. They followed their leader to the death. What, then, was the guilt of their leader? He must answer for those nine lives. He did not understand the excuse of the man who led on others to evil, and who wished to escape while they must die. His opinion was that the leader must answer for his followers. Their actions was his crime; and the punishment should be laid upon him. But was this all? What was the disturbance caused in private and social life by these disorders? What was the disturbance in the town of Newport alone? It was true that the occasion called forth the moderation, the firmness, and the conciliatory policy of the magistrates of the town; and the soldiers behaved themselves like good citizens in the service of their country—they stood their ground and maintained their position in the face of greatly superior numbers; and they had their reward. Then came the question—if these things were so, what was the ground of the dissatisfaction of the people with the verdict? Was it on the ground that substantial justice had not been done? He put that to the hon. Member for Finsbury. Were the people of England enamoured of the quirks and forms of law? It was the first time in the history of the hon. Member for Finsbury that they saw in him the champion of the statutory form of delivering the list of witnesses. He had expected better things of the hon. Member for Finsbury. The hon. Member did not seem to be aware of the decisions of the Judges on this point. He speculated upon majorities and minorities of the Judges. A majority of the Judges, he said, held the objection to be good; but they held that it had not been taken in good time. But now let the hon. Member for Finsbury lay this to his heart. A majority of the Judges found—a majority! —all the Judges agreed that if the objection had been taken in good time the only effect would have been to postpone the trial. The hon. Gentleman (Mr. Wakley) shook his head. Had he any doubt of it? Let there be no doubt about the matter. Either the hon. Gentleman was leading or he was misleading the people. He was a lawyer, and hearing this question discussed, and as he thought misrepresented, he could not sit by in silence; and, therefore, he had been induced to offer himself to the notice of the House, which he seldom did; but in the present case, if there was a misconstruction of law in the matter of Frost, Williams, and Jones, it was a sad misconstruction, which ought immediately to be rectified. But he said there was no misconstruction. He understood the thing as clear as he saw the light of day; and he could not understand how the hon. Members for Montrose, and Finsbury, and Bolton, who were one and all of them Gentlemen of experience, and conversant with the forms and practice of law—he could not understand how they should shut their eyes to the light of heaven, and not see what was so plainly spread before them. He had with him the decision of the Judges: he did not know whether or not it had been read in an earlier part of the debate. He would read the letter of the Chief Justice Tindal to the Secretary for the Home Department. That letter was to the following effect:—

> "1. A majority of the Judges, of nine to six, were of opinion that the delivery of the list of witnesses was not a good delivery in point of law.
>
> "2. A majority of the Judges, of nine to six, were of opinion that the objection to the delivery of the list of witnesses was not taken in due time."

Now, if the hon. Member for Montrose would hear what was the next opinion he thought that he also would be satisfied upon this subject:—

> "3. All the Judges were agreed that if the objection had been made in due time the effect would have been a postponement of the trial to give time for a proper delivery of the list of witnesses."

Was not that satisfactory? He was not there to deny that there might have been a wrong done in point of form. There was enough to justify the exercise of the Royal prerogative of mercy; and God forbid that he should say it was not well exercised! Neither did he say that they should despise form in matters of law. Matters of form strengthened the administration of justice: it protected the innocent, and kept the power of the strong in its proper place. Now, if these things were so, what was the conclusion to which a man of his mind must come? He did not say that the Royal prerogative of mercy should never be extended to persons who had in some degree paid the penalty of their crimes. He thought there might occur a time—but he could not think that time was now arrived—when those persons might receive the mercy of the Crown. Considering that they had been cast for their lives in a trial for the crime of treason of such a kind—for he must say, that the levying war within the Queen's dominions was, of all species of treason, the worst — he was of opinion that it was inconsistent with his sense of law to vote with the hon. Gentleman, who had honestly taken another view of the subject. The view of the hon. Member was, no doubt, a zealous and conscientious one; but, in his opinion, they should not petition the Queen or intercede for these criminals merely because of their sufferings, unless they were sure that the example afforded in their suffering had worked in the country as it was intended it should work.

Mr. GARDNER would support the Motion. He thought that the same measure of merciful clemency which had been exerted in favour of Papineau and the other rebels in Canada might be now extended to Frost, Williams, and Jones. This question came before them supported and recommended by the sympathies of a large portion of the people who were not represented within the walls of this House, and as such it would have his cordial support.

The House divided:—Ayes 23; Noes 91: Majority 68.

List of the Ayes.

Aglionby, H. A.
Blewitt, R. J.
Bowring, Dr.
Clay, J.
Collins, W.
Crawford, W. S.
Ewart, W.
Fox, W. J.
Gardner, R.
Hall, Sir B.
Hindley, C.
Hume, J.
Meagher, T.
Pechell, Capt.
Pilkington, J.
Salway, Col.
Scholefield, W.
Stuart, Lord D.
Thompson, Col.
Thompson, G.
Turner, E.
Walmsley, Sir J.
Williams, J.

TELLERS.

O'Connor, F.
Wakley, T.

List of the Noes.

Adair, R. A. S.
Anderson, A.
Archdall, Capt. M.
Armstrong, Sir A.
Bailey, J., jun.
Bellew, R. M.
Berkeley, hon. Capt.
Buck, L. W.
Buller, C.
Busfeild, W.
Cabbell, B. B.
Christy, S.
Colebrooke, Sir T. E.
Compton, H. C.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cubitt, W.
Davies, D. A. S.
Dick, Q.
Divett, E.
Duncuft, J.
Dundas, Sir D.
Ebrington Visct.
Elliot, hon. J. E.
Fergus, J.
Ferguson, Sir R. A.
Forster, M.
Fox, R. M.
Gibson, rt. hon. T. M.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grey, rt. hon. Sir G.

Grey, R. W.
Haggitt, F. R.
Hamilton, G. A.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Heathcoat, J.
Heathcote, Sir W.
Henley, J. W.
Hervey, Lord A.
Heywood, J.
Hobhouse, rt. hn. Sir J.
Hobhouse, T. B.
Hogg, Sir J. W.
Hotham, Lord
Keppell. hon. G. T.
Law, hon. C. E.
Lewis, G. C.
M'Taggart, Sir J.
Maule, rt. hon. F.
Mitchell, T. A.
Morgan, O.
Morison, Gen.
Mostyn, hon. E. M. L.
Napier, J.
Newdegate, C. N.
O'Brien, Sir L.
O'Connell, M. J.
Palmerston, Visct.
Parker, J.
Richards, R.
Russell, Lord J.
Russell, F. C. H.
St. George, C.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sibthorp, Col.
Smith, M. T.
Somerville, rt. hn. Sir W.
Spooner, R.
Stanton, W. H.
Sutton, J. H. M.
Tancred, H. W.
Thicknesse, R. A.
Thornely, T.
Trelawny, J. S.
Vivian, J. E.
Walsh, Sir J. B.
Ward, H. G.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Yorke, H. G. R.

TELLERS.

Tufnell, H.
Hill, Lord M.

THE LATE RAJAH OF SATTARA.

Mr. G. THOMPSON rose to move—

> "For the appointment of a Select Committee to inquire into the conduct of the Court of Directors of the East India Company and of the Government of India towards the late Rajah of Sattara, and to report thereupon to the House."

As this was a new Parliament, and as there were many hon. Gentlemen in that House to whom this question was probably not familiar, he should consider it necessary to state somewhat in detail the facts connected with it, in order that the House might be prepared to give an enlightened decision upon the Motion which he had the honour to propose. He begged to say, that it was not in his own name alone that he ventured to address the House on the present occasion, but in the name of the vast number of persons who had petitioned Parliament on the subject. He appeared there on behalf of a bereaved family who had recently lost their illustrious head, and who, up to the date of the latest advices—which was the 21st of February last—had been left without any support from the Government of India—who had not even been furnished with the means of defraying the expenses of the funeral obsequies of the late Rajah—and who had had no intimation from the Government of India that it was intended to make that provision for them which was absolutely necessary. The late Rajah of Sattara, far from being, as had been represented, a person of no dignity and importance when the Government of India first entered into communication and alliance with him—far from having been taken from circumstances of poverty and impotency, and raised to a throne by an act of spontaneous generosity—was the lineal descendant from Seevajee, the founder of the Mahratta empire, who was born in 1727; and down to the time that the late Rajah was taken under British protection, the princes, descendants of Seevajee, were universally recognised as the fountain of honour and authority; for although the power and the dynasty had previously been transferred to the Peishwa, it was acknowledged that the Peishwa reigned in the name of Seevajee's descendants. Mr. Prinsep, who, in his work, had fully gone into the history of the Mahratta war, and our whole question with the Rajah of Sattara, stated, that after the battle of Ashta, Mr. Elphinstone had declared it to be the intention of the British Government to restore the family of the Rajah to an independent sovereignty, and to punish the long-continued treachery of Bajee Rao by the perpetual exclusion of his dynasty; and why did Mr. Elphinstone place so much stress on an alliance with the Rajah? Because he knew that if he sought to depose the Peishwa without recognising the claims of the rightful prince, he would not have been able to secure the allegiance of the Jagheerdars. It was not generosity, but prudence, that dictated the propriety of that alliance. In a letter which he had received last August from Colonel Taylor, who had discovered the Rajah on the field of Ashta, and saved him from being cut down by the dragoons under his command, the Colonel said that the victory was the result of the declaration that the Rajah was to be restored to his possessions; and the late Mr. Canning, in moving a vote of thanks to the army in India, said it had fallen to the lot of General Smith to replace the rightful and legitimate sovereign on the throne of his ancestors at Sattara, and that he wished the Rajah's sovereignty might continue. In 1819 a formal treaty of alliance was entered into with the Rajah; and he believed that a wiser, juster, and more beneficent prince had never existed in India. Every person who came from that country bore testimony to his merits; and if the Committee he now asked for were granted to him (Mr. Thompson), he could prove that it was the British Government who first violated the treaty with the Rajah. It was the conduct of the Bombay Government, and their concealment of the unanimous decision of the Court of Directors, that led to the plot which was subsequently hatched, and ultimately brought the Rajah to ruin. When the treaty was entered into there were within the Rajah's territory persons living upon estates, called Jagheerdars, who had received from the Peishwa, or other princes, instead of money pensions, authority to collect the revenue over a certain district during their lives; and Mr. Elphinstone declared that they should not be disturbed in their possession. In 1832 some dispute arose in consequence of Mr. Warden, a British Judge at Poonah, having undertaken to adjudicate between the Rajah and two Jagheerdars, the Rajah considering that it was an usurpation of his authority. Major General Lodwick, then the Resident at Sattara, wrote to the Government in favour of the Rajah, and in 1834 the Court of Directors sent a despatch to the Bombay Government, conveying their unanimous decision in favour of the Rajah. It reached Bombay in April, 1835; Sir Robert Grant was then Governor, and General Lodwick was anxious to communicate the whole despatch to the Rajah, but was prohibited from communicating more than a part of it, and what part he could not say. It was, in fact, in two parts; the first was complimentary to the Rajah; the latter conveyed the decision of the Directors in his favour; and, judging by what had since passed, he thought it was the latter part which was withheld from the Rajah. The Rajah sought an interview with the Governor, and urged upon him the necessity of obtaining something like a decision in reference to the question of the Jagheers; General Lodwick was present at the interview, and he would appear before the Committee, if it were granted, and would tell them that, although he was in possession of the decision of the Court of Directors, he was not allowed to communicate it to the Rajah. Sir R. Grant suggested that another statement should be made, which he promised to send home. It was made, of date July 3, 1835; but it never was sent home. Another case had occurred to raise the same question. A small Jagheer had lapsed, in reference to which the Rajah made an application to the Government of Bombay on the 24th of June, 1835. Major General Lodwick never received an answer to that application; and it might be mentioned, in passing, that no papers as to the Rajah's state were to be found at the residency. In May, 1836, when Sir R. Grant went to the Neilgherry hills, the Rajah again visited him. The Rajah asked if his statement had been sent home. Sir R. Grant, in reply, said what was not the truth. He said the statement had gone home. The Rajah repeated his inquiry. Sir R. Grant consulted with the Secretary of Government at Bombay, and then said that a statement had gone home; but he promised that the statement should still go home. The Rajah, when he had retired, declared that he had been deceived, and expressed his intention to appoint an agent for the purpose of applying to the Court of Directors. Sir R. Grant caused inquiry to be made on the subject, and it was intimated to the Rajah that the appointment of an agent would involve a breach of the Treaty of 1819 in two articles. The Rajah acknowledged that he had appointed an agent to go to England. He asked what were the articles contravened? An article was pointed out which prohibited him from corresponding with foreign princes. He declared that he had not corresponded with foreign princes, but was only applying to a superior authority against the decision of an inferior. He was reminded that he was bound by treaty to apply to the Resident; but he was appealing from the Resident to the Governor, and from the Governor to the Court of Directors. It was the appointment of an agent which led to the Rajah's ruin. He delayed sending the agent, a Mahometan gentleman, till after the feast of the Dusserah; but the representations made in the meantime to the Government on his behalf passed unnoticed. In judging of these transactions, it ought to be borne in mind who were the aggressors. The Rajah had been accused of being in traitorous league with the native princes, to subvert the British empire in India by a sudden combination. What was the evidence? That of two native soldiers, who deposed that they had been in the palace of the Rajah, who had acknowledged the fact to them in conversation. Upon this evidence only a secret despatch had been sent home to the Court of Directors, saying that there was no doubt of the guilt of the Rajah. What did Sir R. Grant next do? If the Committee were granted, he would produce a private letter addressed by Sir R. Grant to Major General Lodwick, who had no idea of the secret despatch which had gone home. This letter was called, "the paper of hints," and it instructed General Lodwick to send the two native soldiers to demand an interview with the Rajah, and to tell him that he had denounced him to the Government, and that if the Rajah gave them hush-money, it would be a proof of his guilt; but that if he sent for General Lodwick, and ordered the soldiers under arrest, accusing them of calumniating him, then General Lodwick was to appeal to the Rajah to secure them, but was, however, to take measures for their safety. What was General Lodwick's answer? It was in the blue book, and it was to the effect, that honour and honesty had been his motto in public as well as in private life, and he spurned such shifts as these. He (Mr. Thompson) would produce before a Committee another private letter in which Sir R. Grant said to General Lodwick that he would not have asked him to pursue the course recommended in the former note, but that in a hasty hour the Rajah had been declared to the Court of Directors in London to be guilty—that the affair had gone too far to be quashed—and that it was necessary to prove the conviction. A Commission was next appointed to sit at Sattara to take evidence against the Rajah, receiving its instructions from Sir R. Grant. In the proceedings of that Committee, all rules of law, all principles of justice, and dictates of morality, were set at defiance. No representative of the Rajah was allowed to be present, and no cross-examination of witnesses took place. The two soldiers agreed as to the words alleged to have been used by the Rajah, but differed as to the place of the interview, and the circumstances attending it; and a third witness contradicted them both as to the place. Yet upon such evidence the Commissioners found the Rajah guilty, unheard, and undefended. Although General Lodwick had, as President, signed the report of the Commission, he had dissented throughout the proceedings from the conduct of his colleagues, and had twice declared in the Court of Proprietors that he should never regret any act of his life more than having allowed himself to be induced by overwhelming entreaties to sign that report. [Sir J. HOBHOUSE: Hear, hear!] Let the right hon. Baronet make what he could out of that. He might convict General Lodwick of infirmity, but he had not cried "hear, hear," when he (Mr. Thompson) had convicted Sir Robert Grant of falsehood. The Commission having closed, and this plot having broken down, a second conspiracy was got up. A Brahmin, a native of Calcutta, forged a petition purporting to be from another of the Ministers of the Rajah, and stating various falsehoods against the Prince and his servants. There was no doubt that that petition reached Sir R. Grant; but if a Committee were granted, it would be shown that it was in his hands a full month before it was produced at Bombay. Sir R. Grant afterwards endeavoured to get rid of Major General Lodwick, and as he refused to accept a sick certificate, which was the pretext offered, he resigned. Colonel Ovans was appointed in his place, and reached Sattara in June, 1837. The petition was at last brought forward, and Colonel Ovans was directed to make his first duty an inquiry into this document, with a view of tracing its origin, and discovering if it were authentic. Colonel Ovans entered upon a very minute and pretendedly careful search, and reported that he had traced it correctly to the mother of the Minister, and that it was genuine. Immediately upon this declaration full powers were granted him, and, without any delay, he threw into prison a great number of the Rajah's servants, and among them those to whom the Rajah was known to be most attached. This was in August; but, in September, after all these professed discoveries, a man walked into the office of Colonel Ovans, gave his name and occupation, and deposed that he, for a certain sum, had written the petition, the party employing him having informed him of its object, viz., to injure the Rajah. This man, though he had been promised large sums of money for what he had done, received none, and came to Colonel Ovans and made a full statement of all he knew. Now, he contended that it was the duty of Colonel Ovans to have sent this document to the Government without a moment's delay. He had received instructions to find out the writer of the petition, and communicate the same to the Government; but instead of that he put the papers in his desk, and kept them there until the Rajah was ruined. Major Oliphant, one of the Directors of the East India Company, had stated, that there was proof that Colonel Ovans was from the 7th of September, 1837, in possession of information disproving the truth of the evidence sent by him on the 30th of July; and he further gave his opinion that if this had been given up at the time it was obtained, the case against the Rajah would not have been proceeded with. He had brought twelve charges against Colonel Ovans at the India House, and copies of these charges were now on the table of the House. [The hon. Gentleman read the charges, which were generally that Colonel Ovans had been guilty of the suppression of evidence, of systematic interception of the Rajah's correspondence—of the extortion of false documents against the Rajah—of the suppression for eleven months of evidence in favour of the Rajah—and of having been guilty of gross and wilful fraud, &c.] These charges he pledged himself to prove out of Colonel Ovans's own mouth, and from documents derived from authority. Another charge was brought against the Rajah, of having intrigued with the Viceroy of Goa; but in this case he was prepared to prove that the seals on the documents were all fabricated, and that every document was forged. If, however, there was proof that he had intrigued with the Viceroy of Goa, why was no representation made on the subject to the Portuguese Government? The right hon. Baronet said he believed that such an intrigue took place; but if he did believe it it was singular that no complaint had ever been made to the Portuguese Government as to the conduct of their Viceroy. If it was necessary, he could show what the opinion of the Indian Government itself had formerly been as to the guilt of the Rajah. Lord Auckland, it was true, was brought to a belief that the Rajah was guilty, but not while he was at Calcutta, but when he was up the country, where he had proceeded in order to be nearer the scene of military operations. It was there he received the elaborate minutes of Sir Robert Grant, penned in April and May, 1838. Those minutes, however, were penned in utter ignorance of the facts which had come out with respect to the innocence of the Rajah. He (Mr. G. Thompson) challenged the right hon. Baronet the President of the Board of Control to say that, up to 1839, there was one man in the India House who believed the charges against the Rajah. On the contrary, when Sir James Carnac went out to Bombay he was desired to bury them in oblivion; and he knew that it was Sir J. Carnac's wish to do so. If the House would grant him a Committee, he would show why Sir J. Carnac did not carry out the intentions of the Board of Directors. There were parties at Bombay who were determined that, as their reputations were implicated in the former transactions, no amnesty should be granted. He would prove that a Member of the Council of Bombay threatened Sir J. Carnac, if he persevered, with the disclosure of matters detrimental to his character as a public man. Well, Sir J. Carnac told the Rajah, after this, that he must either admit his guilt, or be deposed; and he was finally deposed because he would not admit his guilt. He offered no resistance to the Government, and yet even his private property was not respected; and to this hour neither the Rajah himself nor any member of his family had obtained one penny's worth of his private property, which was valued at 300,000*l*. His private correspondence had been intercepted and published; and yet there was not one letter in which a syllable could be found which would fix a charge of conspiracy upon the Rajah; nor had a single circumstance come to light, since his deposition in 1839, corroborative of the charges made against him; on the other hand, there had been a mass of evidence in his favour. Take another fact. Who were the persons connected with the Government of India who were satisfied of the Rajah's guilt? Did the Directors of the East India Company generally believe in his guilt? They did not. It had been recently admitted at the India House that the whole was a mare's nest. Did the Chairman of the Court of Directors believe it? He did not. It had gone abroad throughout India that the Rajah had been unjustly deposed, and the people of India looked to this country to see whether redress for injustice perpetrated there could be obtained by an appeal to this House. It had been often said that our empire in India was less an empire of the sword than an empire of opinion; but what public opinions were such acts as this likely to foster in India? These were facts which, in his estimation, justified the Motion which he had deemed it to be his duty to bring before the House; and he asked for this inquiry for the sake of the House itself; he asked it for the sake of the public men whose characters were implicated in the transactions which were the subject of the Motion, and for the sake of the late Rajah's family. He asked it in the name of the people of India, who had a right to demand that a case of this kind should undergo an impartial and a full investigation. Let the inquiry be as rigorous and as searching as the House pleased; he was ready and willing to stand or fall by it; he asked it in the name of British justice, and he hoped he should not make his appeal in vain.

MR. J. WILLIAMS seconded the Motion, observing that, if the Motion were not now granted, it would be only postponed, and would be ultimately forced from the justice of the House.

MR. CORNEWALL LEWIS said, whatever difficulty he felt in following the able and elaborate speech of the hon. Member for the Tower Hamlets, upon a subject with which that hon. Member had been familiar for many years, and to which the hon. Member had devoted a considerable portion of his life, that difficulty was considerably diminished by the nature of the Motion. When the hon. Member for Montrose had given notice of a Motion on the same subject, it was for an inquiry into the case when the Rajah was living. Such an inquiry was of a practical nature; and, if the late Rajah's advocates could have succeeded in convincing a Committee, and, through the Committee, that House, of his innocence, it might have led to his restoration to the rank and position he had previously enjoyed. Since the hon. Member for Montrose had given notice of that Motion, intelligence had been received of the death of the Rajah; and the Motion of the hon. Member for the Tower Hamlets was of a very shadowy and intangible character. The inquiry the hon. Member wished the House to undertake had lost its chief importance. There was another reason why he felt less difficulty in resisting this Motion. If ever there was a case to which the principle of *res judicata* was applicable, it was the present question. The Rajah was deposed by the Bombay Government, their act being confirmed by the Government of India, in 1839. From 1840 up to the present time, the subject of the Rajah of Sattara had been agitated successively by petitions to the East India Company, by Motions in successive Courts of Directors, and in Courts of Proprietors, and by Motions in this House; and every time the question had been mooted, the result was the same. Successive Boards of Control, and successive Courts of Directors and Courts of Proprietors, had come to the same conclusion; and whenever the subject was discussed in this House, the House had refused to interfere. As, however, the hon. Member had gone at great length into the question, and had made imputations upon the Indian Government, which were unfounded in fact, and unjust both to the living and the dead, he trusted the House would give him its attention while he went into a vindication of the conduct of the Indian Government in respect to the Rajah of Sattara. It was a remarkable fact that the three persons who were principally concerned in these transactions were all dead. First, Sir Robert Grant, the Governor of Bombay, under whom the inquiry was originally instituted; secondly, Sir James Carnac, the Governor, by whose means the Rajah was removed from his sovereignty; and, lastly, the Rajah himself. The hon. Member began by giving a very copious account of the foundation and history of the Mahratta empire, whence sprung the State of Sattara. It was perfectly well known that Sattara was only a portion of the Mahratta empire, and that the Peishwa and not the Rajah was the head of that State and empire. The Rajah was, in fact, a mere State prisoner, with an allowance of half a lac of rupees, or 5,000*l.* a year; and when the Peishwa surrendered to Sir J. Malcolm, the Rajah was released by the English troops, and by a mere accident his life was saved. There was nothing whatever to show that the Rajah possessed any substantial power. In 1818, Mr. Mountstuart Elphinstone thought it would be politic to assign, as a mere bounty, and as a voluntary act on the part of the British Government, a small sovereignty to the Rajah of Sattara. There prevailed, however, a difference of opinion, at the time, on the subject; but it was eventually agreed that the Rajah should be placed on trial and be invested with a provisional sovereignty at Sattara. He was accordingly put in possession of the State, but in entire subordination to the British Government; and it was stipulated that all his political relations were to be subservient to British authority. It was agreed that the British Government should cede the sovereignty to the Rajah of Sattara, which implied that the territory so ceded then belonged to the British Government. The Rajah was to hold it in subordination to the British power, and to be guided in all matters by the advice of the British Agent resident at his Highness's Court. The Rajah also engaged for himself and his successors to forbear from all intercourse with foreign Powers. The Marquess of Hastings was the Governor General who made the arrangement with respect to Sattara; and in a paper written by him during his voyage home from India, his Lordship gave a summary of the transaction, in which it was stated, that to the Rajah of Sattara an independent territory had been assigned out of the late Peishwa's possessions; that he had a large revenue, competent to the maintenance of considerable pomp; and that this was an extraordinary change in the position of one who used to be kept in such strict custody by Bajee Rao, that orders were given to the Rajah's guard to put him and his family to death on any probability of his being delivered from captivity—orders which were only prevented from being carried into execution by a sudden attack made by the British troops, who rescued the Rajah from the Peishwa, Bajee Rao. For many years after he had been installed in the office of Sovereign, he administered the affairs of his Government in such a manner as to give entire satisfaction to the British authorities, and no doubt whatever was entertained of his loyalty. There is reason, however, to think that the Rajah of Sattara, like all Oriental princes, living in an atmosphere of flattery, permitted those who surrounded him to raise in his mind an idea that he was the legitimate successor, as he was the lineal descendant, of the founder of the Mahratta monarchy, and that he might be able eventually to establish an independent Power in India. The first instance of his discontent manifesting itself was on the occasion of his authority with regard to some Jagheerdars being disputed. The whole subject appeared to have been quite an after-thought, and there were the best grounds for concluding that the quarrel did not in any respect influence the proceedings against him, though his advocates might at present find it convenient to put forward such a supposition. Those Jagheerdars held territories which were situated partly within the dominions of the British Crown, and partly within those of the Rajah. He claimed to be the paramount lord, not only over those portions which lay within his own boundaries, but over those also which were contained within the possessions of the British Crown. The question in dispute was referred to the Governor at Bombay, and that Governor—Lord Clare (not Sir R. Grant), being then the Governor — gave an opinion unfavourable to the claim of the Rajah; and the matter being further referred to the Court of Directors, the decision of the Governor of Bombay was by them confirmed. He should now come to a part of the hon. Member's speech which he listened to with sincere pain; he alluded to the serious imputations sought to be cast upon the character of a gentleman no longer alive, who certainly was one of the most honourable and truth-loving persons that ever existed. He was only slightly acquainted with Sir Robert Grant; but he believed that every one who knew him would repudiate with indignation the charge that Sir Robert Grant had lent himself to a base intrigue, for the purpose of subverting the government of the Rajah, and that the means he adopted for that purpose amounted to nothing less than subornation of perjury. It was impossible to conceive that a man like Sir Robert Grant should have given himself up to a motiveless persecution of a petty Indian prince, to be carried on by means which would have disgraced a common swindler. He was sure the House paid no attention to a charge brought against the character of one so spotless and unimpeachable as was Sir Robert Grant. The hon. Gentleman professed to be in possession of certain documents which showed that his accusations were well founded. [Mr. G. Thompson would prove his statement by reference to blue books on the table of the House.] He understood the hon. Member to refer to private and confidential letters. Now, he would show from a Minute drawn up by Sir Robert Grant himself, that though there had been some unintentional delay or mistake with respect to one letter of reference to the Court of Directors from the Government of Bombay, yet that another was extant in which the reference had been perfectly clear and unequivocal. A short time after the period to which he was then referring, Colonel Lodwick reported that the Rajah of Sattara had attempted to tamper with certain Sepoy soldiers; and, in consequence of that report, a Commission was issued by the Bombay Government to investigate the matter. After giving the Rajah every opportunity of hearing the evidence adduced, the Commission came to the unanimous conclusion that the Rajah had tampered with some of the native officers of a regiment stationed at Sattara. If that conclusion were correct, the Rajah had engaged in a design clearly inconsistent with his situation as a subordinate prince, holding his sovereignty by a grant from the British Government. The hon. Member said, that Colonel Lodwick merely signed this report in his official character as President of the Commission, and that he had since repudiated concurrence in it. No doubt it might be that, after Colonel Lodwick's removal from his Residency, and after the expression of a want of confidence in him on the part of the Bombay Government, that officer might have signified his disapproval of the conclusion to which the Commission had come; but it was impossible to conceive a more dangerous doctrine than that a person, after concurring in a solemn manner in a report, by signing it, and allowing his signature to be taken without protest, should be permitted, several years after, to come forward and disavow the report. The Commission conducted its proceedings with perfect impartiality; and a full opportunity was afforded to the Rajah to produce any evidence he might wish to tender. After the Commission had reported, Sir R. Grant made an elaborate examination of the Minutes, and considered the course to be pursued. The hon. Member said, that Sir R. Grant was actuated by vindictive motives—that the Rajah's boldness in his complaints about his Jagheers had given offence to Sir R. Grant—and that the latter was determined to sacrifice him out of revenge for those complaints. This statement was inconsistent with the information in the papers before the House; for it appeared that, though forfeiture was a punishment that might have been adopted against the Rajah, Sir R. Grant recommended a punishment short of that—namely, the mere confiscation of one of his Jagheers. Subsequently, Colonel Ovans was sent out in the place of General Lodwick, and he investigated two charges against the Rajah of Sattara: one of them relating to a correspondence with the ex-Rajah of Nagpore; and another relating to an intrigue with the Governor and certain authorities of Goa. He was firmly of opinion that this ill-informed Oriental prince had been weak and inflated enough to suppose that, by the aid of military assistance from Portugal, he could succeed in re-establishing himself at the head of the Mahrattas, and had been duped into violating his solemn obligations with this country by engaging in such a vain and absurd enterprise. The case of Mr. Hutt, referred to by the hon. Member (Mr. Thompson), had been formerly met by an explicit and positive denial (to be found in the papers) from Mr. Hutt himself. The hon. Member had laid great stress on the asserted want of genuineness as to the writer of a petition which formed part of the papers; but the only material question was, whether the circumstances stated in the petition were true. The hon. Member had made most serious charges against Colonel Ovans, principally founded on the petition to which he had referred. The hon. Gentleman had made charges against Colonel Ovans of official delinquency and dishonesty, which, if they could be supported, would render him not only unfit to hold office under the East India Company, but even to be received in the society of gentlemen. These charges, which had previously been made by the hon. Member (Mr. G. Thompson) in his speeches out of doors, had been brought under the notice of the Board of Control by Colonel Ovans; and the statements made by that officer in refutation of those accusations, with the evidence by which they were supported, were now in his hands. These documents were so voluminous that he could not attempt, on this occasion, to call the attention of the House to them; but he might state, that Colonel Ovans denied, in the most positive manner, the justice or accuracy of any one of the charges made against him; and he trusted that the House would at present suspend its judgment on the matter, and not vote for a Committee on the strength of mere unsupported allegations. He would, on the earliest opportunity, move that these papers should be printed, in order that hon. Members might be able to judge how far the charges made against Colonel Ovans were well founded. The hon. Member had animadverted upon the East India Company's not having expressed any opinion upon these charges which had so frequently been made; but the Directors had given their opinion. On the 30th of September last, Colonel Ovans addressed a letter to the Court of Directors, referring to observations which had been made by the hon. Member, in the Court of Proprietors, reflecting on his conduct, and soliciting the Court either to adopt legal measures against Mr. Thompson, or to grant him permission to prosecute that gentleman. The Directors, in their reply, which was dated the 25th of October, expressed in strong terms their opinion that not the slightest stain attached to the public or private character of Colonel Ovans; but they declined to be parties to the prosecution of Mr. Thompson. To return to the history of the ex-Rajah: Sir Robert Grant died in September, 1838, and Sir J.

Carnac went out as Governor of Bombay in 1839. Lord Auckland had referred the case to the Court of Directors, and Sir J. Carnac having been a member of the Court was in possession of their views. Contrary to the opinions of the Supreme Council he determined to adopt a lenient course, and allow the Rajah to continue on the throne, provided he would sign a supplementary treaty binding himself to a strict observance of those articles which the British Government considered he had violated. But the Rajah refused to accede to the treaty. The reason now assigned by his advocates is, that the preamble contained an admission of his guilt. But this is not the fact: it merely contained a statement that the English Government believed him to have done acts contrary to the treaty; and Sir J. Carnac has stated, that if objection had been taken to the preamble, he would have cancelled it. After the Rajah had refused to give the assurances required of him, Sir J. Carnac came to the conclusion that he could not do otherwise than adopt the resolution of the Council of Calcutta, and depose the Rajah. That resolution was carried into effect with as much regard for the feelings of the Rajah as could possibly be exhibited. We might have annexed the whole of the Rajah's territories to the British dominions; but in order to place our motives above suspicion, we contented ourselves with setting the Rajah's brother on the throne. The question which the House had to decide on this occasion was not a question of evidence on the credibility of Indian witnesses, and transactions which occurred nine years ago, at a distance of many thousand miles; but simply whether at the time the British Government had not reasonable ground for doubting the loyalty and good faith of the Rajah of Sattara. If they had, after the investigation, ground for doubting the fidelity of their ally, they were, according to all the maxims of international law, justified in taking steps to secure their relations with the Sattara State. If the House agreed with him in this view of the transactions in which Sir James Carnac was a principal actor, they would be of opinion that there was no necessity for the appointment of a Committee of Inquiry. There was nothing in the conduct of Sir R. Grant, Sir J. Carnac, or any other of the distinguished persons referred to, which required to be investigated by a Committee of the House of Commons; and even if the Committee were granted, he did not see in what manner the inquiry could be conducted, or how the vast tangle of evidence could be unravelled by a Committee of Englishmen, ignorant of the Indian language, incapable of examining Indian witnesses, and unable to tell the difference between a forged and a genuine seal. If they gave any opinion, it must be one derived altogether from the knowledge of other persons. The inquiry would necessarily, therefore, be a fruitless one, and could lead to no satisfactory result. The only point of a practical character noticed by the hon. Member, was one of a very subordinate and minor kind, which could easily be disposed of in a very few words. The hon. Member had spoken of the destitute condition of the Rajah's family, and had attempted to excite the sympathy of the House by describing them as left without any means of support. Now, it was quite true that the bulk of the provision settled on the late Rajah ended with his life; but there was also a considerable settlement made upon his two wives, one of whom still survives, and is entitled to a pension of nearly 1,000*l.* a year, while his daughter has a pension of 600*l.* a year. It was entirely a mistake, then, to state that the late Rajah's family were in a state approaching to destitution. For these reasons he begged to meet the Motion of the hon. Member with a direct negative.

Mr. HUME moved that the debate be adjourned till that day week.

Sir J. W. HOGG said, he was glad that the adjournment had been moved; but he hoped that in the meantime he might be permitted to remind the House that the disgraceful charges which the hon. Member (Mr. Thompson) had brought against Colonel Ovans were bare charges and no more. He begged the House to bear in mind also, that the charges were not new —that they had been preferred over and over again in another place, and repudiated by all the authorities at home and abroad. The hon. Member (Mr. C. Lewis) had asked hon. Members to suspend their judgment. He (Sir J. W. Hogg) begged them not to suspend their judgment. He begged them to believe that a British officer, who had been declared innocent by competent authorities, both civil and military, at home and abroad, was unimpeached in his honour and character, until at least his guilt was demonstrated, and until something more was done than a Member of Parliament getting up in his place, and, without offering a tittle of evidence, reading a list of twelve of the most atrocious charges ever brought forward against a British officer. The hon. Gentleman, it was true, had offered to bring forward proof of every one of the charges, and had said that he would stake everything upon the result. When he heard the hon. Member say that, he felt almost tempted to say, "Give the Committee." But no, he would not so far gratify the impulse of his mind, because he did not see that the Committee could be granted without a *primâ facie* case of guilt having been made out. Now, he denied that any *primâ facie* case had been made out. Where was its foundation? The hon. Member had brought forward no evidence whatever. It might be that he had forborne to do so until the Committee was granted; but, at all events, the evidence had yet to come. Having filled the situation—filled the chair of the India House when the conduct of Colonel Ovans was investigated, and knowing how he had been hunted down, he considered that he ought not to allow it to go forth to the public that these charges had been preferred for the first time. He assured the House that they had been brought forward three years ago, and had been repudiated again and again. [Mr. THOMPSON: But never answered.] At all events they had been repudiated by all the authorities at home and abroad.

MR. C. ANSTEY begged to call the attention of the House to the question before it, which was that the debate be adjourned; and in doing so he begged to say, that if there was one Member who had more reason to fear the appointment of the Committee than another, it was the hon. Baronet who had just spoken; for if the Committee was granted, they would have to inquire not merely into the conduct of the accessories after the fact, but the principal offenders; and of these offenders the hon. Baronet was one of the most important.

MR. THOMPSON begged to take advantage of the question of adjournment to state, that in the course of the speech he had that night delivered, he thought he had substantiated one, at least, of the many charges which he had brought against Colonel Ovans in another place. The evidence he had adduced upon that charge was a specimen of the evidence he could bring forward upon every other charge. If the Committee he now asked for was granted, he pledged himself (life and health permitting) to substantiate every one of the charges from the letters of Colonel Ovans and other documents contained in the blue books before the House; or, if not, he would submit to the censure which the House was bound to inflict upon every Member who brought forward allegations for which there was no tangible foundation.

Debate adjourned.

THE SERGEANT-AT-ARMS.

MR. HUME wished to move for a Select Committee to inquire into the duties of the Sergeant-at-Arms attending on this House, and the salary, emoluments, and patronage of the office, with a view to the regulation of the same before the occupation of the new Houses of Parliament. He was sorry to find that the office of Sergeant-at-Arms had been filled up, for he had hoped that the hon. Gentleman who had been so long in the service of the House, and who had always performed his duties so efficiently as the Deputy Sergeant, would have been appointed to the vacant office, and allowed to terminate his life as the Sergeant-at-Arms. He thought that the Lord Chamberlain ought not to have the nomination.

MR. STAFFORD seconded the Motion, and stated that Mr. Clementson, the Deputy Sergeant-at-Arms, was unwilling to lose that opportunity of reminding the House of the length of his service. He had been Deputy Sergeant forty-four years. When Mr. Colman was appointed Sergeant, he was serving in the Peninsular war; and during that time Mr. Clementson performed the duties of the office. When Colonel Seymour was appointed, having been promised the office long before, Mr. Clementson for some time discharged the duties and received the emoluments of the office; and for the last year and a half the whole duty and responsibility had fallen upon him. It was with no wish to impugn the decision of those in whom the patronage of the place rested that Mr. Clementson wished upon that occasion to record the length of time he had had the honour and privilege of being a servant of that House. Mr. Clementson's friendship with his family began long before he could remember; and for that reason, as well as from a sense of his private worth, he had much pleasure in making this statement to the House. And however much they might feel that the present Sergeant-at-Arms would perform his duties satisfactorily, yet they could say little more for his earnest success than that he might copy the example of the Deputy Sergeant; and, whatever motives had induced the appointment of Lord Charles Russell, yet both in that House and out of it there was a general feeling of respect and esteem for the officer who had been so long in their service.

Agreed to.

House adjourned at a quarter to Two o'clock.

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VOLUME XCVII.

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ERRATUM.

Page 32, line 22, *for* Mr. R. W. Fox, *read* Mr. R. M. Fox.

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